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Robert Kennedy's Program Of U. S. Anti-Racket Laws

From the Herald Tribune Bureau

WASHINGTON, Apr. 6.—Here is the program of new legislation to combat interstate rackets that Attorney General Robert F. Kennedy recommended to Congress today:

1. Prohibition of interstate travel in support of racketeering. The bill is aimed at "bankrollers and kingpins" who live in comfort in one state on the proceeds of rackets in another. It proposes a $10,000 fine and five years in prison as maximum penalty for travel across state or national boundaries to pursue ventures that are illegal under state or Federal laws in gambling, liquor, narcotics, prostitution, bribery or extortion.

2. Protection for witnesses who co-operate with inquiries by the Justice Department or other Federal agencies. Coercion or threats against these witnesses would be penalized by a maximum of five years in jail and $5,000 fine. Such protection is already given witnesses called by judicial and Congressional investigations.

3. Extension of the Federal Firearms Act to forbid interstate shipment of weapons to or from any one convicted of any crime punishable by more than a year in prison. Present law applies only to those convicted of "crimes of violence."

4. Outlawing of the interstate use of telephones or telegrams for bookmaking or other gambling. Such use would be penalized by up to $10,000 fine and two years in prison. A similar measure offered by former Attorney General William P. Rogers fixed the penalty only at removal of the wire facilities.

5. A ban on interstate shipment of gambling paraphernalia and records, such as numbers slips. The maximum penalty for violators: $10,000 and five years. The bill is a tightened version of one offered by Mr. Rogers.

6. Authority to grant immunity to compel testimony from employers and employees in labor-racketeering cases. This is a resubmission of one of Mr. Rogers' bills.

7. Extension of the Fugitive Felon Act to make it a Feeral crime for any person accused of a crime punishable by more than a year in prison to flee across state lines. The penalty: $5,000 and five years. This is another Rogers bill.

8. Tightening of the 1951 law against interstate transportation of gambling devices to cover a wide range, specifically including pinball machines. Present law has been construed to apply only to slot machines. This was also on the Rogers program.

Depressed Areas Bill Wins House

By VINCENT J. BURKE
(United Press International)

WASHINGTON (UPI)—The House passed the $394 million depressed areas bill and sent it to the White House Wednesday as Congress stepped up action on a half dozen key requests submitted by President Kennedy.

Handing the President a major victory, the House approved 223 - 193 a bill to provide $300 million in loans and $94 million in grants to help attract industry to area suffering from chronic unemployment.

The bill was passed over the protests of conservatives who objected to its plan for financing the program through direct Treasury borrowing. They called this back door financing and said it would aid the Communists by helping to ruin the country economically.

Shortly after this vote, the House shouted its approval of the President's plan to provide emergency relief payments to needy families with children whose fathers are unemployed. The Senate, in recess Wednesday, was expected to pass the bill Thursday.

The program, which would become effective May 1, would cost the Treasury an estimated $200 million during the next 14 months.

DEBATES FARM SURPLUS

The House wound up its busy day by completing congressional action on a second bill — a measure authorizing the President to sell abroad $2 billion in surplus U. S. farm products.

The bill was the ninth piece of major legislation to be sent to the White House since Kennedy took office three months ago.

The actions came as House and Senate committees pushed along other administration bills dealing with housing, and a proposal to set up a U. S. travel service to encourage foreigners to visit here.

On the roll call vote on the depressed areas bill, 192 Democrats and 31 Republicans voted for the measure. Against it were 137 Republicans and 56 Democrats. All the Democrats were from Southern and border states.

At present unemployment rates, some 112 urban areas and an unknown number of rural areas would be eligible for help under the bill.

Aged Care Bill May Be Added As Amendment

WASHINGTON (AP) — Sen. Clinton P. Anderson, D-N.M., said Saturday he may offer his health care for the aged plan as an amendment to the House-passed Social Security bill.

Anderson, a member of the Senate Finance Committee which will consider the Social Security bill, told a reporter this course is under active consideration but that no final decision has been reached.

Sen. Harry F. Byrd, D-Va., finance chairman, has said his group probably will take up the House Social Security bill in about 10 days. Byrd, however, strongly opposes any program of health benefits under the Social Security system.

TIED TOSS

President Kennedy made health care tied to Social Security a major issue in his campaign last fall, and has urged Congress to enact such a program this year. At his news conference Friday, Kennedy said he still is hopeful of a vote in the 1961 session.

Kennedy pointed out that it would be possible for any senator to bring it up by offering an amendment.

In the House, the Social Security bill was considered Thursday under a procedure barring amendments. As it passed the House, the bill contained a variety of benefits including one to allow men to retire at 62.

If Anderson does raise the health care issue in the Finance Committee or on the Senate floor, it is expected to bring on a bitter fight.

STRONGLY OPPOSED

The American Medical Association and the several business groups strongly oppose the Social Security approach. It is supported by the AFL-CIO and some welfare organizations.

Last year Anderson and Kennedy, then a senator, sponsored such a proposal as an amendment to a House bill but lost 51-44. In that test, they got the vote of only one Republican, Sen. Clifford P. Case of New Jersey.

This time the Democrats say they hope to work with Republican liberals to develop a plan which can win enough bipartisan support for passage.

Anderson introduced in February the administration's health care measure. It now is in the hands of the Finance Committee but there has been no action in the face of Byrd's opposition.

The proposal would provide up to 90 days of hospital care and up to 180 days of nursing home care for each illness. It would pay for up to 240 home health care visits in a year, and furnish outpatient diagnostic services. It does not provide for doctors' fees.

Persons over 65 and retired under Social Security or the Railroad Retirement Act would be the beneficiaries.

The program would be financed by an increase in the Social Security tax of ¼ of 1 per cent each on the employer and employe, and ⅜ of 1 per cent on self-employed persons.

PROVIDE CARE

An aide to Sen. Jacob K. Javits, R-N.Y., said the New Yorker also is strongly considering offering a health care plan as an amendment to the House Social Security bill.

Javits and several of his GOP colleagues have reintroduced a bill they sponsored last year to set up a program of about $450 million in annual federal grants to help old persons pay for a variety of types of health plans.

After defeating the Social Security plan last year, Congress passed a bill providing for federal grants to states to assist in medical care for the indigent aged. Backers of the administration bill say this law is inadequate and object strongly also to the means test required for eligibility.

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AGED CARE

Aged Care Wins 43-0 In Senate

Atlanta Constitution

Atlanta, Ga.

Wed. 1-25-61

The first of two bills dealing with medical care for the aged sailed through the Georgia Senate Tuesday by a vote of 43-0.

Approved was a bill implementing federal medical care legislation passed last year by Congress. It would allow the State Welfare Department to set up such programs in each of Georgia's 159 counties.

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TO AID 235,000

Sen. Carl E. Sanders of Augusta, author of the medical care bills, said there are 100,000 Georgians on old age assistance and 135,000 others living on small incomes who will benefit from the bill.

Aged Care

The legislation had the approval of the U.S. Health, Education and Welfare Department, the state health and welfare departments, and the Senate Health and Welfare Committee, he pointed out.

APPROVAL URGED

Dr. C. L. Ayers of Toccoa, chairman of the health and welfare committee, said the program would be financed with 80 per cent federal funds and 20 per cent state funds.

He asked for approval of the bill, saying, "We need this federal money in Georgia." He said the Legislature should "go to the rescue" of elderly people who need medical care.

A companion measure also authored by Sen. Sanders is waiting on the Senate calendar. It amends state welfare laws to provide for the medical care program.

In another action Tuesday, the Senate Appropriations Committee set up seven subcommittees to gather information about the administration appropriations bill so the committee will be ready for the bill when it comes over from the House.

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Sen. W. T. Jones of Roberta, committe chairman, assigned different portions of the bill to the subcommittees for study. He said the last appropriations bill in 1956 "came through so fast we didn't have time to study it."

Aged Care

"We want to be in a position so that if we do have a public hearing on it, we will be informed," Jones said.

The bill calls for spending $405,620,176.90 in the fiscal year beginning July 1 and $413,961,176.90 in the following fiscal year. The contingent section includes $57,700,000.

One by delegation request—

Only two of Jeffco's bills vetoed by Gov. Patterson

P. C 13 The Birmingham News Sun. 9-24-61

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., Sept. 23—Jefferson legislators came out well in the matter of local bills passed—and signed—during the closing days of the regular and special legislative sessions.

Gov. Patterson pocket-vetoed two Jefferson County proposals at the close of the regular session. One, however, was vetoed at the request of the delegation.

All Jefferson local measures passed during the special session were signed by Gov. Patterson. The governor still has "under study" three general bills by Sen. Larry Dumas, passed during the special session.

The bills vetoed by the governor:

—An act extending the period of voter reidentification another year. This amended an act authorizing the reidentification now underway to remove from voting lists names of persons who have died or moved away. The veto was made at the request of the Jefferson delegation.

—A bill protecting members of the board of trustees of the county pension system from personal liability to the state, county or individual for their official acts. The governor's veto came without commend.

When it appeared that the "chop up" Jefferson congressional redistricting bill might pass, Jefferson legislators introduced the bill extending the final date of reidentification.

IT WAS THE CONSENSUS of the delegation that the voter reidentification might unintentionally result in the removal of names to bona fide voters whose ballots might be needed in seeking to elect a congressman in one or more of the four districts to which the county's four pieces would have been divided.

The governor's office said Patterson still has under consideration Senate Bill 73, jointly sponsored by Sens. Dumas and S. N. Robison of Montgomery to amend an act relating to the teacher retirement system.

Also under consideration were Dumas' Senate Bills 77 providing for continuous code revision and 80, requiring the approval of the State Building Commission as a condition to the effectiveness of certain state contracts. The latter bill also would prohibit the commission from making any contract without funds on hand.

Among Jefferson bills signed by the governor the last few days were House Bill 89, tightening a law relating to the testing of applicants for plumber licenses and House Bill 83, prohibiting the transfer of a license tag from one car to another.

The only bills from the regular session, besides the two Jefferson proposals which Gov. Patterson pocket-vetoed, were 10 proposals. They were killed because duplicate bills from the opposite house had been passed.

Gov. Patterson said nine bills passed during the special session will be pocket vetoed for the same reason. Gov. Patterson said he also would pocket veto House Joint Resolution No. 4, naming a stretch of road in Franklin and Winston Cunties "Patterson Road." It was sponsored by Rep. Emmett Oden of Franklin.

THE GOVERNOR HAS until midnight Monday to sign bills or permit them to die by pocket veto. His office announced that he still has under consideration these measures:

S. 149, by Andrews and others: Creating a State Board of Examiners of Voter Registration.

S. 124, by Webb and others: Providing that contracts for concessions in state parks which extend beyond the term of the incumbent governor must also be confirmed by the Senate.

S. 123, by Webb and others: Providing for the appointment and operation of an advisory committee on state parks.

H. 132, by Turnham: Regulating the execution of certain public contracts for the sale of state owned property by competitive bid.

H. 66, by Adams: Providing for the creation and establishment of a city-county airport authority to take possession of facilities jointly owned by the City of Dothan and Houston County.

Also listed were Senate Bills 77 and 80, by Sen. Dumas.

Controversial amendment—

Patterson still holds voter qualification bill

The Birmingham News Sun. 9-24-61 P. A 2

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., Sept 23—**With time fast running out on unsigned controversial legislation passed during the recent special session, Gov. Patterson apparently still has under consideration House Bill 149 for qualifying voters.**

That is the enabling act for a controversial amendment to the Constitution. Drastic changes in long established registration methods are made and a central board of examiners is set up to grade examination papers of applicants for voter registration.

Gov. Patterson has until midnight Monday to sign the enabling act. If he does not sign it by then the bill is dead. But the governor has no control whatever over the amendment.



SPARROW

Even if the governor does pocket veto House Bill 149, the enabling act, the amendment will be on the ballot in the May 1, 1962 election.

If the voters ratify the amendment and the enabling act is dead, the situation would be confusing, to say the least.

ON THE OTHER hand, if the governor signs the enabling act and the voters ratify the amendment, Alabama would have an entirely new registration system.

It would be a system whereby there would be so many different questionnaires it would be well nigh impossible for anyone to memorize the questions and answers.

That has been a major defect in the present system.

Alabama has had only one questionnaire since 1951. Groups reportedly have specialized in conducting memorizing sessions for prospective Negro registrants.

Under the proposed system, an applicant for registration would have to answer a questionnaire calculated to demonstrate certain educational qualifications and an understanding of the privileges and duties of a voter. Examinations would be conducted by local boards.

Papers would be sealed in an envelope, without any identification whatever except a number. The envelope would be returned to the proposed State Board of Examiners. The board, in turn, would grade the papers and determine whether the applicant deserves to be registered as a voter. This would be done without the examiners knowing the name, sex or race of the applicant.

THAT WOULD prevent local boards of registrars from being hounded by civil rights sleuths. It would appear, too, that it would be an entirely fair method for determining a would-be registrant's qualifications.

But, as was pointed out repeatedly when the bill was pending before the Senate and House during the recent special session, it has one major defect.

Alabama would have a new but highaly centralized system of registration of voters. The whole system could be slapped down by a single federal court decree.

Such constitutional experts as Joseph F. Johnston, Birmingham attorney, and others adhere to the idea of decentralization, instead of centralization, as an answer to the problems of federal court rulings on Alabama laws and customs.

They contend that if there is no centralization of the school systems, a court order directing the integration of a school or all schools of one system would not necessarily apply to other systems.

BOTH HOUSES heard the two arguments and came up with the necessary two-thirds majority required to pass a bill not qualified under the special session call.

That's where matters stand right now.

Some legislators who supported both proposals contend that Gov. Patterson should at least give the new system a chance by signing the enabling act.

It provides, among other things, that no person shall be registered as a voter after Jan. 1, 1962, until he has satisfactorily passed a written examination "which demonstrates his ability to read and write in English any articles of the Constitution of the United States, or any section of the Constitution or statutes of Alabama, and his knowledge of the duties and obligations of citizenship under the statutes of the state of Alabama."

Continuing, the bill specifies in considerable detail the steps to be taken to assure a fair and unbiased examination and grading of an application for registration.

The State Board of Examiners for Voter Registration would consist of three members appointed by the Legislative Council. No two members could be residents of the same congressional district.

Education Concern Up Over Funds

House Told Teachers May Walk Out; State 'Rider' Bill Passe

By BOB INGRAM
And KARL PUNTERA

Mounting concern for education's financial needs was reflected in the House of Representatives Tuesday amid warnings from school leaders throughout the state of possible teacher walkouts and schools closing.

The sudden interest in school revenue high lighted a legislative day which once again saw the House do all the work while the Senate was tied up by a one-man filibuster which continued most of the afternoon.

Action in the House other than that relating to education included

RELATED STORIES, PAGE 7A

the rousing 95-0 approval of a bill which would outlaw "Freedom Riders" from coming into Alabama to test segregation barriers.

Rep. Pete Turnham of Lee set the tempo of the day in the lower chamber when he read a prepared statement to the House urging the lawmakers to "re-evaluate your thinking of the financial needs of education.

"It is apparent at this time that proration of school funds will not be 9.4 per cent as predicted earlier and as declared by the governor; rather this figure will be closer to 12 per cent," Turnham said. "In such an event the schools would stand to lose more than $13 million in anticipated revenue."

Turnham warned that unless something is done during the current legislative session "many school systems will only operate for seven months or less. . .in some instances school systems might not even open their doors this fall without financial help."

BILLS INTRODUCED

Moments later several bills were introduced in the House which are designed to partially alleviate education's financial ills.

Rep. Bernard Cabiness of Jackson proposed a bill to transfer any surplus in the General Fund to education; Rep. Arthur Louis Ferguson of Tuscaloosa offered a similar bill, and also proposed a direct appropriation of $1.6 million from the General Fund to Education; and Rep. Ralston Long of Perry proposed a $457,600 appropriation from the general fund to schools.

Rep. Long said this amount would be sufficient to guarantee that the 9.4 per cent proration schools are now operating under would not be increased to 12 per cent.

While the House was beginning to take cognizance of the school crisis as portrayed by education leaders, the Senate spent the afternoon listening to one man — Sen. Rufus Barnett of Dale.

Barnett held the floor unassisted for five hours in opposition to a bill which would reduce the residence requirement for voting in Alabama to one year, then finally gave up and the bill passed, 24-3.

BLOCK OUT OF WAY

Once that stumbling block was out of the way the Senate turned to other bills on the calendar, despite the fact that it was well past the normal hour of adjournment.

During the entire eight and a half hour session, the upper house approved 187 local bills and general bills with a local application and three general bills.

This was the most productive day for either house thus far.

Barnett had aruged in his prolonged appearance at the microphone that one year was not long enough for new residents to acquaint themselves with Alabama's political and social customs.

While his was a solo appearance, he got some help from friendly lawmakers who took the floor occassionally to allow Barnett to get a drink of water or a cup of coffee.

Back across the rotunda, the House refused to act on pending local bills on the calendar, apparently reluctant to vote on a controversial Bullock County local bill. Instead the representatives spent a couple of hours working on general bills which were on the special order calendar.

EXAMINATION BILL

Passed in addition to the "anti-Freedom Rider" bill was a bill which would permit authorities to hold for psychopathic examination any criminal ruled sexually psychopathic person. Under the present law such persons may be released on bond immediately after arrest.

Also approved was a Senate-passed bill extending to Sept. 1 the deadline in which population-bracket local bills must be passed. Literally hundreds of such bills —made necessary by population changes reflected in the 1960 census — are now pending in the legislature and must be passed by next Tuesday. However, the bill approved Tuesday will extend the deadline for another 30 days.

Several child adoption measures were approved as well as three measures sponsored by the Conservation Depa.tment which apply to the catching of game fish.

The House adjourned just before it reached a controversial measure which would provide for a reduction of the state's tax on aviation fuel from 7 to 1 cent per gallon.

Embattled Airport Bill Faces Vote

By BOB COHN
Advertiser State Editor

Gov. John Patterson signed into law Friday a bill which will give the people of Houston County a chance to vote Dec. 5 on a proposed airport authority.

Act 318 introduced in the special session of the legislature by Rep. Charles Adams was signed at 1:15 p.m.

The measure has been the subject of a month-long wrangle between Mayor James Thrower, Hugh Wheelus, Municipal Airport operator, on one side, and Adams and the Houston County Board of Revenue on the other.

COURT TEST

The legality of the bill has been challenged by Wheelus and Thrower and a court test might ensue before the Dec. 5 referendum vote.

Thrower claims that when the regular session bill, which included the incorporation of Napier Field in Dale County, was blocked by Sen. Rufus Barnett, the new bill introduced during the special session was not advertised long enough.

The bill originally specified that Municipal Airport in Dothan would be moved to Napier Field and an airport authority would be established on that basis.

A year ago the city commissioners and board of revenue asked the legislative delegation from Houston to introduce an airport authority bill, Adams said.

"The city commission pulled out of it about 30 days ago," Adams said, "by a vote of two to one. Earl Moody lined up with Thrower against Jim Brennan," he added.

The airport authority will be established if the referendum passes. The only possible roadblock is the court test.

Spokesmen at Dothan City Hall said that leaving Napier out of the special session bill constitutes a change and therefore a new advertising period is required. Each bill must be advertised four weeks.

Patterson Gives Fast Action To Special Session Output

Gov. John Patterson has taken action on all but eight bills which passed the five-day special session of the legislature.

Press Secretary Harry Cook said Thursday that the governor had signed more than 300 of the bills into law; had vetoed more than a dozen duplicate bills, but was still studying eight measures.

Two of the bills still lacking Patterson's signature are of considerable significance. One proposes the creation of a state board to examine voter registration examinations and the other would prohibit by law the sale of state used or surplus property except on a competitive bid basis.

The registration bill, sponsored by Sen. L. K. Andrews of Bullock, provoked a sharp debate in both the House and Senate during the special session. He said it was designed to protect local boards of registrars from federal civil rights suits.

The bid bill, aimed at outlawing the practice of "special sales" wherein state property was sold without competitive bidding, was sponsored by Rep. Pete Turnham of Lee.

The other bills still pending are:

SB 73—by Dumas, relating to teachers retirement.

SB 123—by Webb, to create a state parks Advisory Committee.

SB 124—by Webb, relating to the signing of parks contracts.

SB 80—by Dumas, to prohibit State Building Commission from approving construction projects which will cost more than has been appropriated for such projects.

SB 77—by Dumas, to provide for the continuous revision of the Alabama Code.

HB 66—by Adams, local bill relating to the city - county airport authority in Houston County.

Tell It To Old Grandma

Your name and address must be given on letter ★ But upon request, name will often be withheld at the Editor's discretion ★ We reserve the right to shorten leters ★ No poetry please ★ Repeat: No letter will be printed unless Editor knows who wrote it.

Montgomery Textbook Bill

EDITOR, THE ADVERTISER — It might be of interest to many of your readers to know of a bill passed by the last regular session of the legislature, which deals with textbooks.

This bill was suggested by the Montgomery County Board of Education and was sponsored by the entire Montgomery County legislative delegation.

The bill provides that our Board of Education in Montgomery County, upon recommendation of the local superintendent of education, may substitute other textbooks for use in junior and senior high schools, for the approved, or state-adopted textbooks.

You realize, we are sure, that the junior and senior high schools in Montgomery have much stiffer courses than are offered in some counties. The latitude allowed by this bill will allow our Board of Education to fit the textbooks to the courses.

There could also be the possibility of savings in the cost of the books since the Board of Education would not have to change textbooks whenever the state made a change. It is our feeling that this bill will have definite value to the schools of the city and county of Montgomery.

[SEN.] VAUGHAN HILL ROBISON,
[REP.] ALFRED W. GOLDTHWAITE
[REP.] JOE GOODWYN,
[REP.] GEORGE F. BAILEY JR.,
[REP.] J. J. PIERCE.
Montgomery.

Anti-flogging bill brings Klan lobby

BY CHARLIE GRAINGER, News staff writer

MONTGOMERY, Ala., Aug. 10—A bill to make flogging by nightriders a capital offense has brought Ku Klux Klan leaders rushing to legislative halls in opposition.

Robert Shelton of Tuscaloosa, Imperial Wizard of United Klans, and Alvin Horn of Talladega, Imperial Wizard of U. S. Klans, were here yesterday to lobby against the proposed bill.

They said they would be back Friday when the measure comes before the House judiciary committee in a public hearing.

THE BILL, sponsored by Reps. Ashley Camp and Bill Nichols, both of Talladega, came in the wake of a Talladega County Grand Jury report asking a maximum death sentence for taking persons from their homes and flogging them.

Eight admitted Ku Klux Klansmen have been indicted in floggings of three white people at Sylacauga in Talladega County and are awaiting trial.

Shelton said he feels passage of the anti-flogging bill "could have far-reaching and damaging effects.

"In time to come, it could be interpreted to mean that a father could be caused to suffer capital punishment for punishing his teenage son for what he considered a serious family offense," he said.

OPEN OPPOSITION to the bill by the KKK leaders—teamed together—was significant in that the warring factions of the secret organizations have apparently buried the hatchet durin gthe past few months.

Shelton said the Alabama Knights of KKK, which was enjoined in a federal court suit here several weeks ago by U. S. District Court Judge Frank M. Johnson Jr. for its connection with "freedom rider" violence in Alabama, has consolidated with the United Klans.

And despite reports of inner strife and jealousies between the Klan groups headed by Shelton and Horn, the two leaders appeared to be most cordial yesterday.

SHELTON SAID the Klan has "long-since abandoned floggings in any form, even though we still get the credit."

But, he said, "Speaking from a personal standpoint I am glad, however, that there are still men somewhere who will take matters in their own hands when the hands of the law are tied.

"I am a great believer in law and order and in due process, but I can think of not one but several occasions where rape was committed on a minor and the parents, fearful of publicity, would not press charges."

He said in such cases there is a need for men to "avenge such a crime."

deemed by the jury.

Joining Rep. Camp in support of the bill were Craig Smith, president of Avondale Mills, Sylacauga, and Jep Greer, editor of the Sylacauga News.

No one appeared to testify against the bill, although Grand Dragon Robert M. (Bobby) Shelton of the Alabama Knights of the Ku Klux Klan spent most of the week at the Capitol lobbying against the bill.

The same committee approved a measure which permit women to serve on juries in Alabama. The measure faces a doubtful future in the Legislature.

Panel Votes Death Penalty For Floggers

Legislation which would permit a jury to give the death penalty to persons convicted of flogging was given a favorable report by the House Judiciary Committee Friday morning.

Committee approval came after the sponsor of the bill, Rep. Ashley Camp of Talladega, agreed to prepare a substitute measure to be offered on the House floor which would more clearly define the crime of flogging.

Camp's proposal would fix the penalty for flogging at not less than two years in prison up to death in the electric chair if so

House Overrides Veto On Jefferson Carve-Up

Montgomery Advertiser B1 Sun 8-27-61

Montgomery Ala

61-35 Vote Sends Bill To Senate

By BOB INGRAM
And KARL PORTERA
Of The Advertiser Staff

The House of Representatives Saturday passed the anti-Jefferson County congressional redistricting bill by a 61-35 vote, after sweating out a 24-hour filibuster waged by outnumbered foes of the bill.

Passage of the carve-up Jefferson plan came over Gov. John Patterson's veto, and it followed a 55-39 vote rejection of the governor's executive amendment — the so-called 9-8 plan.

Weary opponents of the bill which would split up the present 9th District (Jefferson County) among four adjoining districts agreed to bring their filibuster to a halt after an agreement was reached specifying that the measure would not be delivered to the Senate for consideration until Tuesday, the next legislative day.

With a filibuster anticipated in the Senate against the bill, the upper chamber prepared for it by voting to convene at 12:01 a.m. Tuesday. This early convening hour would merely make it much more difficult for the minority opposing the bill to kill it by filibustering. Eventual passage of the bill by the Senate is all but certain, probably on Tuesday.

Passage of the Jefferson carve-up plan in the House came at 12:45 p.m., and in dramatic fashion.

PAIRING PROCEDURE

Two members of the House took the floor to question the tactics employed by opponents of the bill during the long debate. As a total of 54 affirmative votes were required to override Patterson's veto, opponents of the bill had sought to reduce the strength of the majority through the legislative procedure of "pairing."

Under this rule a member who is going to be absent requests a member from the opposing side to "pair" with him. The journal would reflect ho weach man stood on the bill, but their vote would not count in the total.

Opponents sought to get enough "pairs" with proponents to reduce the strength of the majority to less than the required 54 votes.

Rep. Kenneth Ingram of Clay, his voice quivering with emotion, took the floor to announce that he was convinced a "pair" agreement he had agreed to with Rep. Bob Gilchrist of Morgan was "not entered in good faith." Ingram declared his intention to withdraw from the pair and vote for the carve-up bill for the record.

Gilchrist later admitted to the House that he had sought a "pair" with Ingram merely to deprive the majority group of a vote.

'BAD BILL'

"I did it for the sole purpose of depriving the majority of a vote," Gilchrist conceded. "I would do it again, because I think it is a bad bill."

Rep. Luke Reynolds of Madison also reported to the House he had been "framed" into making a pair with an opponent of the bill, and that he too was withdrawing from the agreement. He did not identify the other House member with whom he had paired.

As it worked out, the attempted "pairs" involving Ingram and Reynolds would not have affected the outcome as the veot was overridden with seven votes to spare.

Unlike the House filibuster two weeks ago on the same issue where cloture was finally invoked to bring the question to a vote, no move to limit debate was consumated Saturday.

At one time during the long session a move was initiated to force a halt in the at-length reading of a 328-page bill offered by opponents, but this move never came to a vote.

STATE-WIDE RACE

Ironically, the compromise agreement which finally resolved the filibuster was identical to one offered Friday but rejected.

A number of House members explained their votes on the eve of the showdown decision. They all pointed out that the issue had boiled down to but two alternatives — override Patterson's veto adn approve the carve-up Jefferson plan, or refuse to override and thus kill the bill and cause a wide open state-at-large race for congressional seats in 1962. All said that faced with but these two alternatives they had but one choice—to vote to override the veto.

Expressing these sentiments were Reps. Pat Boyd of Pike, C. C. Torbert of Lee, and Bill Nichols of Talladega.

Despite the hard feelings which were in frequent evidence on the House floor during the long night, the differences were patched up once the redistricting bill was disposed of and the House passed a long list of local and non-convresial general bills before finally adjourning at 2 p.m.

When the House voted at 12:26 p.m. Saturday to non-concur in Patterson's 9-8 executive amendment, that killed the governor's proposed compromise.

Thus when the Senate convenes Tuesday it will have no opportunity to consider the 9-8 plan—it must take the Jefferson carve-up or nothing.

Midnight Oil Burns As Senators Hit Showdown On Redistricting Formula

The Montgomery Advertiser

By KARL PORTERA

The State Senate convened at 12:01 a.m. Tuesday faced with the final legislative showdown of the session on the bitter issue of congressional redistricting.

It was an all-or-nothing situation facing the upper chamber when Lt. Gov. Albert Boutwell gavelled the Senate into session for the 33rd legislative day.

With but four days remaining in the regular session, the Senate must either accept the redistricting measure which dissects the 9th District (Jefferson County) or pass no redistricting bill at all thus forcing a state-at-large race next spring for the eight seats in the U.S. House of Representatives.

MAJORITY GROUP

There is insufficient time to pass another redistricting proposal, even if such was politically possible.

The early hour of convening was agreed to Saturday by a majority group in the Senate which favors the anti-Jefferson bill. They are hopeful that any filibuster launched by the opponents might be worn out during the day.

The House, which had a filibuster of its own Friday and Saturday before passing the carve-up Jefferson bill over Gov. John Patterson's veto, does not convene until noon Tuesday.

But it is in the Senate where the success of failure of countless bills will hinge in the waning days of the session.

Any prolonged filibuster on redistricting would greatly cripple the chances of passage of such controversial bills as the proposed installment loan act and the Branyon "quickie" divorce bill.

VITAL BILLS

Also yet to be approved by the legislature are the vital appropriations bills for education and the General Fund agencies. The Senate has already passed the general appropriation bill, but it must still clear the House. And in reverse, the House has approved a $137.9 million education appropriation measure, but it has yet to win Senate approval.

Both of these bills, however, seem certain of eventual approval.

The "quickie" divorce bill will have a uphill climb all the way to the floor of the Senate. It has already cleared the lower chamber and is awaiting final passage.

This bill to end fast divorces can also play a very important part in the fate of redistricting in the Senate. Sen. Jimmy Clark of Barbour has proposed to the senators to send the Branyon-Caffey bill back to committee and in effect kill it.

This bill to amend the state divorce laws has been on the Senate calendar for close to a month. It is very possible that the opponents of the redistricting plan to quarter Jefferson County would bring this out and force senators opposed to the anti-fast divorce repealler to filibuster against it.

Forces debating both these issues could well doom this session with only four days left counting Tuesday.

If this bill is brought up, a vote on whether it should stay on the calendar or go back to committee could be very indicative of a redistricting ballot. There is some indication that the pro-"quickie" senators may be willing to keep the redistricting matter alive as long as the repealer is on the calendar.

But if this bill is sent back to the committee, the opponents of the Branyon bill would then throw their entire weight behind passing the chop-up Jefferson redistricting plan. It must be noted here that fast divorce bill opponents have also been proponents of redistricting.

Sen. Alton Turner offered the motion to meet at 12:01 a.m. Tuesday in an effort to discourage filibustering against the measure which would divide Jefferson — the entire 9th District—among four adjoining districts.

Opponents to this plan would be forced to debate the issue on an around - the - clock basis. This same item has already been filibustered against for 58 hours earlier this session by Sens. Larry Dumas of Jefferson, Bert Haltom of Lauderdale and Ryan deGraffenreid of Tuscaloosa.

Haltom and deGraffenreid are not expected to take an active part in a debate this time.

It has been reported that some members of the upper chamber are not to happy about the possibility over having to overrule Gov. John Patterson's veto, such as the lower chamber did Saturday, and this group may join Dumas.

But it is the concensus of the body that the bill will be passed "in a matter of minutes."

Reapportion Battle Rolls Into Courts

Birmingham voters out to force reapportionment through federal court order have now moved to block the Legislature of Alabama from passing any reapportionment measure not based on population.

The 14 petitioners asked U.S. District Judge Frank M. Johnson Jr. to stop any move to strike from the Alabama Constitution the provision that the Legislature be apportioned according to population.

They said two amendments to the state constiution to affect this change were reported out of a Senate committee shortly after the suit was filed.

ORIGINAL SUIT

The Birmingham voters in their original suit asked the federal judge to step in and force reapportionment as required by state law.

In the amendment to the suit, they said that they turned to the federal court because no other remedy was available.

Pointing to a "pattern and course of conduct," by state lawmakers to preserve the present pattern of representation in the Legislature, the petitioners saw little hope of fair reapportionment even in a constitutional convention.

"It is extremely unlikely," they maintained, "that the representation at and members of any such constitutional convention would differ from that of the Legislature . . ."

The amendment to the suit, filed Saturday, also contained the argument that any move in the Legislature to change the apportionment provisions would hinder the search for a just solution in the court.

Anti-Recession Bill Made Law

atlanta daily world

atlanta ga

By VINCENT J. BURKE
(United Press International)

WASHINGTON (UPI) — President Kennedy signed into law Monday an anti-recession bill which will channel funds to 500,000 needy children and 200,000 of their parents in jobless families.

The $200 million program means that for the first time since the depression of the 1930's, the federal government will be channeling relief funds to Americans who are able to work but unable to get jobs.

The relief will be temporary and restricted to needy families with children. Federal grants for this purpose will be available to states for 14 months.

"I must say I think this is a very good bill," the President said, after signing it into law.

Administration officials estimated that about half the states will participate in the program.

ADDS TO PROGRAM

Kennedy's action puts into operation the second part of his emergency program for easing distress caused by the recession. He previously signed legislation providing a temporary extension of unemployment compensation for workers who exhaust their benefits.

The new law liberalizes the program under which needy individuals and families receive relief checks to help pay for food, clothing and shelter. Each state operates its own program, receiving federal grants which cover a big share of the cost.

The act also expands eligibility standards to include needy families with dependent children, in which both parents are able - bodied but unemployed.

The law also contains a special provision which postpones until September 1962 the effective date of an order requiring Louisiana to restore 22,000 illegitimate children to the welfare rolls before receiving federal aid.

The previous administration ruled that no state could receive federal money for the aid of dependent children if it took any youngsters off the rolls without providing some other type of care. The order had been scheduled to go in effect July 1 of this year.

PLAN USED BEFORE

This marks the first time in almost two decades that federal funds have been made available to employable persons. In the early years of the big depression, federal money was given to states for aid to employable persons. This was abandoned in 1935 in favor of a job - creating federal work program.

Many jobless persons get unemployment compensation but this is based on an entirely different concept. Jobless pay is based on insurance, financed by a payroll tax. The amount and duration of jobless benefits is geared to previous earnings, without regard to the recipient's financial resources.

New Powell Bills To Open Up Nat'l Guard, Aid Schools

WASHINGTON--(ANP)--Congressman Adam Clayton Powell, chairman of the House Committee on Education and Labor, introduced four bills on the opening day of the 87th Congress dealing with discrimination in this country and annuity for construction service in the Panama Canal.

One of Powell's bills aims to prohibit discrimination in employment because of race, color, religion, national origin or ancestry.

Another called for the elimination of discrimination and segregation in the National Guard and Air National Guard. This bill would also prohibit the use of the National Guard to aid or abet the violation o Federal law.

The third bill authorizes appropriations for the operation of public schools in the several states which would otherwise be closed by state action intended to prevent compliance with certain orders of courts of the United States.

His fourth measure would extend the benefits of the Panama Canal Construction Service Annuity Act of May 29, 1944, to certain individuals. The original act dealt with the payment of pensions to civilians employed on the construction of the Panama Canal.

9 Minus 8 Leaves 1 To Go—Who?

Advertiser-Journal
P-3B Montgomery, Ala.

By Karl Portera

EVER SINCE it was discovered more than a year ago Alabama would be forced to reduce its congressional delegation in Congress from nine to eight, the powers that be immediately began to devise ways and means for this reduction. 9-17-61



PORTERA

And the key to the 1961 regular session of the Alabama Legislature has been that same problem — how to do it. Now that that perplexing question has been answered, another very important one crops up — who will be elected?

That can only be answered by the people of the state during the 1962 elections. Of course, some very bitter battles are expected to be fought. Even at this early date some dillies are shaping up.

The one most often mentioned now is the race to select a man to represent the present 2nd Congressional District, which includes Montgomery. At this stage of the game, and throughout the campaigns for that matter, the nine incumbents are odds-on favorites to be in the elimination round where the top eight vote-getters will be returned to Washington.

The second district is represented by George Grant who has put in many long and faithful years in the U.S. House of Representatives. He is the elder statesman of the delegation and holds valuable senority in Congress. But some observers think he is the man most open to attack at present. Mentioned most often as his chief opposition is Alton Turner of Luverne.

THERE IS ONE hitch in this supposition: Turner has not announced that he will even seek the seat from the 2nd District and won't announce it until later, much later, according to the Crenshaw County attorney.

Observers close to the scene say that Turner will give it long and careful consideration before throwing his hat into the ring and may even go so far as to discuss the matter with Grant himself before making a clear-cut decision as to whether he will be a candidate or not.

But there are also some indications of strong support forming behind the state senator. One politician says "he will make his move if things continue to go as they are now and will be in there pitching next May."

Turner represents the 26th Senatorial District in the Legislature and is in his first term at the Capital. He said the second time that he had ever been in the big white building on Goat Hill was when he entered as a senator in 1959. The only other time was to take a tour through the Capital.

Yet the 36-year-old freshman lawmaker has made a very strong impression in just two sessions. In fact, his appearance and performances have been so impressive he became majority bloc floor leader in the upper chamber. A student of Alabama politics, Turner has excelled in parlimentary procedures, oratory and drive in striking home the position of Black Belt members from the floor.

IN MANY INSTANCES the University of Alabama Law School graduate has been on the conservative side, but for the most part he has been a middle-of-the-roader.

Intimates of the potential candidate claim he has feelers out around the state to check the "climate" for the forthcoming congressional race. If he feels that it is favorable, he will, in all probability, take the plunge.

But if it is otherwise, Turner will perhaps postpone his plans until two years hence when another congressional election will be held. And, too, there is that matter of consultation or conference with the Grant which will have an important bearing on Turner's decision.

Right now, it can be safely said that he "is very interested." This can be construed in many different ways, but those close to the senator take it to mean he is ready and willing.

TO FRUSTRATE GOP

Dec Montgomery
The Anniston Star
Advertiser

GOV. PATTERSON was well-advised, in our opinion, when he recently ~~recommended~~ the so-called "9-8" redistricting plan to the state legislature, in place of a Jefferson County "chop-up" which at the time was very near to becoming an accomplished fact. P. 4 A

The "9-8" plan calls for a Democratic primary next May to name a candidate for Congress from each of Alabama's nine districts as presently constituted. Ltd. 9-16-61

As matters now stand, Alabama voters will have to name eight at-large congressmen next year.

It's noteworthy, we believe, that in an Associated Press poll late last week, six of Alabama's nine present representatives indorsed the "9-8" plan, while Congressmen Boykin and Huddleston could not be reached for comment and Congressman Jones said he is studying the proposal.

This is pretty good evidence that the "9-8" plan is fair, provided, however, that an indicated safeguard is adopted on the basis of the warning that was voiced by Rep. Kenneth Roberts of this district, along with his indorsement.

He suggested that no ballot for less than eight candidates be counted in the at-large race, the aim being to frustrate Republicans who might support one candidate, and who by voting only for him, might push his total above that of the last candidate in the Democratic column.

Patterson Inks Bill For Funds

The Montgomery Advertiser
Ltd. 9-16-61

By BOB INGRAM

A five-day special session of the Alabama Legislature adjourned sine die at 7:30 p.m. Friday after passing a record $43.5 million general appropriations bill as well as the "9-8" congressional redistricting measure.

In approving these two bills the legislature did in five days of the special session what it had been unable to do in the 36 legislative days of the regular session.

It was the failure of the lawmakers to pass the vital appropriations bill which necessitated the extraordinary session, which began Monday. Had no appropriation bill been passed the state's non-school agencies would have had no operating funds after Sept. 30. Gov. John Patterson signed the money bill into law at 5:45 p.m.

In adopting the "9-8" plan of redistricting, the legislature in effect left it up to the voters to decide which incumbent Alabama congressmen would lose his seat.

Under the plan candidates for Congress will run in a primary next May in each of the present nine congressional districts. After these district candidates have been selected they will then run in a state-at-large race with the top eight vote-getters being the Democratic nominees for Congress.

BIG LOGJAM

The "9-8" plan as passed by the legislature will likely create an enormous logjam at the polls next May in Alabama's larger counties. The bill requires that voting machines cannot be used in the congressional - at - large race.

This will mean that voters in counties where machines are used — which includes Montgomery — will vote by machine for the other races to be decided, then step outside the booth and mark a paper ballot for the eight candidates they prefer for Congress.

This amendment was insisted upon by the small county legislators who feared the heavy-voting machine counties might "single shot" vote for their favorite candidate, to the disadvantage of other candidates.

The big county lawmakers insisted the machines could be so adjusted as to prevent "single shot" voting, but the small county lawmakers were dubious. An effort to take out the no-machine amendment was tabled 60-38.

ELECTOR FIGHT

Surprisingly, it was neither the appropriation bill nor the "9-8" redistricting which furnished the fireworks in the final meeting of the special session.

Instead, it was a bitter floor fight in the House on a bill designed to nail down Alabama's electoral votes for the nominee of the Democratic National Party, and prevent any bolts such as were experienced in the 1948 and 1960 presidential elections.

The measure was defeated after prolonged debate. It actually received the vote of a majority of the House (52-44) but failed to secure the necessary two - thirds vote of approval required of all bills in a special session which are not included in the call.

The fight on this measure boiled down to one between the "loyalist" Democrats and the "States Rights" Democrats. The proposal would have required

(See LEGISLATURE, Page 7A)

presidential electors to sign a pledge to support the nominee of the party they represented. It further would have provided for the names of the candidates for President and vice president to be printed on the ballot.

Another floor fight exploded in the House on a constitutional amendment which would create a state board of registrars which would determine, on the basis of written questionnaires, which prospective new voters could vote in Alabama. The bill passed after extended debate.

The purpose of the bill, according to its sponsors, is to tighten the qualifications for voter registration and to protect county boards of registrars from civil rights suits.

NO CHARGES

Supporters of the bill said under such a plan there could be no charges of descrimination against Negroes because the questionnaires would be graded by number and there would be no way to determine the race of the applicant.

The bill further permits the periodic changing of the questions asked prospective voters, thus lessening the chance of persons memorizing the answers.

Hundreds of other bills were passed and sent to Gov. John Patterson for signature. They included:

A bill to require the isolation or hospitalization of TB victims;

A measure providing for the issuance of only one license tag each year to motor vehicles;

Measures giving income and property tax deductions to persons who construct fallout shelters;

Bills giving pay raises to two state officials. The agriculture commissioner's salary would be increased to $10,000 a year; the chief examiner would be boosted to $12,000.

34b 1961

EMERGENCY UNEMPLOYMENT COMPENSATION BILL

JOBLESS AID BILL PRESSED IN HOUSE

N. Y. Times

Action Next Week Possible —Rolls of Insured Idle Up Again in February

New York, N.Y.

By The Associated Press

WASHINGTON, Feb. 17 —Prospects of House action in [illegible] a week on the first of President Kennedy's economic measures opened up today as the Ways and Means Committee ended hearings on an emergency unemployment compensation bill.

The measure would provide up to thirteen weeks additional benefits for the long-term unemployed who have used up their rights under existing law.

Meantime, the President's proposal to increase the minimum wage and extend its coverage met opposition from both sides in Congress.

[The number of workers drawing unemployments benefits rose by 64,900 in the week ended Feb. 4, United Press International reported from Washington].

On jobless benefits, the committee was reliably reported to have worked out a change in the financing method that would make the measure more acceptable to business. Backers said the amended bill would pick up enough Republican support to have clear sailing both in the committee and the House.

Wilbur D. Mills, Democrat of Arkansas, the chairman, called a closed-door session of the committee for Tuesday to work on the final draft of the bill.

If no hitches develop, the bill could be ready for House action late in the week or the beginning of the following one.

The bill, it was understood, will be changed to provide for a temporary increase in the rate of payroll tax, paid by employers, which finances the unemployment insurance program.

The Administration proposed to retain the present 3.1 per cent rate—which is reduced for individual businesses according to their records for stable employment—but to extend the base on which it is levied.

At present the annual base is a maximum of $3,000 a worker. The Administration bill would make it $,800—and this would be a permanent change.

Powell Criticizes Bill

The minimum wage bill disappointed Representative Adam Clayton Powell Jr., Democrat of Harlem, chairman of the House Labor Committee. He promised to fight to broaden its provisions.

Republicans on the committee renewed the attack they made on a similar measure in the last Congress, charging it would cause inflation and increase unemployment.

William F. Schnitzler, secretary-treasurer of the American Federation of Labor and Congress of Industrial Organizations also joined in the criticism, labeling the Administration bill "somewhat disappointing."

Mr. Kennedy has recommended raising the $1-an-hour minimum wage to $1.15 at once, $1.20 next year and $1.25 the following year.

He also has asked that 4,300,000 more workers, most of them in retail and service trades, be brought under the law's coverage.

"This bill does not measure to what I expected," Mr. Powell said. "I'm afraid there are so many differences between my colleagues that it is going to be difficult to move the bill as rapidly as we had hoped."

The Administration's recommendations were presented today by Secretary of Labor Arthur L. Goldberg, who described them as moderate and practical.

"This bill strives for the possible, the attainable, rather than the ideal," he said in response to the criticism voiced by Mr. Powell and Mr. Schnitzler.

He said passage of the measure would immediately pump $578,000,000 into the economy. He called them "high velocity dollars" that, he said, would be spent at once by those receiving them.

Freedom Centennial Bill Is Signed by Gov. Kerner

The Courier 6-4 Act 9-2-61
Pittsburgh Pa

SPRINGFIELD, Ill. – Gov. Otto Kerner has signed into law House Bill 1409 which creates the American Negro Emancipation Centennial Commission of Illinois.

The bill also appropiates $150,000 to prepare the program for commemoration of emancipation of the American Negro.

According to the Chicago office of the National American Negro Emancipation Centennial Authority, $110,000 will be spent for construction of the centennial exhibit and space occupied at McCormick Place and $40,000 will be used for research and administrative purposes.



Gov. Kerner

■

THE CENTENNIAL will exhibit a complete history and progress of the Negro and will pay special tribute to Abraham Lincoln.

The bill was co-sponsored by numerous senators and civic leaders. The commission will be comprised of five members of the House who will be appointed by the speaker; five citizens appointed by the Governor from the following categories: religion, science, business, labor and civics; the chief Illinois Archivist or his representative, and the Illinois State Historian.

The members of the commission will not be compensated for their services but will be reimbursed for monies spent in connection with commission duties.

■

THE COMMISSION will coordinate its work with the program of the National American Negro Emancipation Centennial Authority.

Co-sponsors of the bill include: Partee, Peter C. Granata, Elwood Partee, Peter C. Granta, Elwood Graham, Marshall Korshak, James Y. Carter, William H. Robinson, Lycurgus Connor, William E. Pollack, Fred J. Smith, George W. Dunne, J. Willis Horsley, Kenneth E. Wilson, J. Horace Gardner, Charles S. Armstrong, Lillian Piotrowski and Robert Marks.

GOVERNOR SPURS BILLS ON HOUSING

New York, N.Y.

Asks Legislature to Act to Accelerate Aid for Cities in Urban Renewal

Tues. 3-7-61

NEW NOTES FAVORED

p. 31 M

Issues Would Be Paid When Subsidies Are Received—Simplified Laws Urged

By DOUGLAS DALES
Special to The New York Times.

ALBANY, March 6—Governor Rockefeller strongly urged the Legislature in a special message today to enact a series of bills to make it easier for cities to start and finance urban renewal projects.

The state started local assistance for urban renewal projects three years ago with the approval of a $25,000,000 bond issue. This enables the state to share with localities on a fifty-fifty basis the local cost of sites.

Under Federal law, when a site is cleared and sold to a developer at a loss, the Federal Government pays two-thirds of the write-down loss, and the locality one-third. The state and the localities each now pay one-sixth of the loss.

Reserved for 37 Projects

The $25,000,000 bond issue has been reserved for thirty-seven projects in thirty-two communities. Mr. Rockefeller has recommended that $10,000,000 be appropriated this year from the capital construction fund to continue state assistance.

The Governor said the pay-as-you-go plan would provide financial assistance more promptly and at a considerable saving of state funds. He placed the interest cost of the $25,000,000 bond issue at $11,250.000.

To facilitate temporary financing by localities, the Governor recommended that cities be authorized to issue a new form of municipal obligation to be known as urban renewal notes. These notes, which would be similar to the tax anticipation notes that cities may now issue, would be paid off when Federal and state subsidies are received.

The Governor also recommended that the period of probable usefulness for urban renewal projects be increased from twenty-five to fifty years. The longer period of amortization, he said, would permit more municipalities to participate in urban renewal programs.

Excluded From Limitation

One feature of the legislation would exclude the urban renewal notes from municipal debt limitations.

The consolidation and simplication of the laws relating to urban renewal is provided for in a bill filed by Senator MacNeil Mitchell of Manhattan and Assemblyman Ernest Curto of Niagara, both Republicans. The measure proposes a new article of the General Municipal Law.

The governor said that this legislation, which has been prepared by the Division of Housing and the Joint Legislative Committee on Housing and Multiple Dwellings, "will dramatically speed the progress of urban renewal programs."

KENNEDY TO URGE MAJOR REVISIONS IN HOUSING POLICY

The N.Y. Times
New York

Mon. 3-6-61

Proposed Outlays May Total Billion, With New Stress on Urban Renovation

f.1

Special to The New York Times.

WASHINGTON, March 5—President Kennedy's housing proposals, to be sent to Congress Thursday, will show major shifts from the Eisenhower Administration's policy.

In money terms, the proposals will exceed those offered by President Eisenhower in his farewell budget in January.

General Eisenhower proposed that in the year starting next July 1, the Housing and Home Finance Agency spend $709,-$709,000,000. This would include $200,000,000 apiece for urban renewal, college housing and public housing. Mr. Kennedy's proposed outlay may reach $1,-000,000,000.

34b

In his economic message Feb. 2 the President reduced interest rates on Federal Housing administration-insured mortgages and on loans for community facilities.

The next day the Federal National Mortgage Association began buying more mortgages at higher prices, thus making more funds available for housing.

Steps to Ease Credit

The Federal Home Loan Bank Board two weeks ago took credit-easing steps to add about $1,000,000,000 to the housing money supply.

The President's Council of Economic advisers, notably Prof. Kermit Gordon, has stressed further anti-recession steps in the housing field. They would include a speed-up in public housing and urban-renewal projects already planned.

In terms of emphasis, the proposals include these other shifts from previous policy.

¶The F.H.A., whose home-mortgage insurance program spurred post-war growth in the suburbs, will turn its attention to the cities. Neil J. Hardy, its director, has proposed a major program of low-interest, long-term loans for private urban housing renovation.

¶Subsidy programs for upper middle-income housing, such as Title I, will be curbed. The priority will go to programs for families of more modest means. The private market for upper-income housing has filled the need.

¶Greater emphasis will be placed on small low-income public housing rather than massive projects.

¶There will be increased stress on special housing for the elderly through direct loan programs.

Part of Recession Fight

The program is being conceived as part of the anti-recession drive.

Over the weekend, Budget Bureau specialists and White House aides reviewed recommendations made last week by Dr. Robert C. Weaver, head of the H. H. F. A.

President Kennedy reportedly is pleased with the recommendations, details of which are being worked out.

A delicate question is what to say about civil rights. The President and Dr. Weaver are on record as favoring an end to discrimination against Negroes in federally aided housing.

But as a practical matter, the Administration does not want to jeopardize the housing program by tying an anti-desegregation rider to proposals. Southern Democrats, as in the past, would join rural Republican conservatives, especiallyy in the House of Representatives, to block such legislation.

The President has also reportedly decided against issuing any Executive order banning discrimination until the housing legislation is passed.

The mildest alternative, mentioning the end of discrimination as an administrative "goal," is being discussed.

Dr. Weaver has repeatedly indicated that he considers housing and civil rights separate questions. His job, he has insisted, is housing.

34b 1961

HOUSING BIAS BILL

HOUSING BIAS BILL ARGUED IN JERSEY

New York Times
April 7-11-61

State Senators Hear Wide Variety of Views on Law Covering Private Realty

N.Y. New York
Apr 7 1961

Special to The New York Times.

TRENTON, April 10—A special New Jersey Senate committee heard conflicting testimony today on the merits of a bill to racial discrimination in private housing in the state.

The measure, which has been adopted in the House of Assembly, would bar discrimination because of race, color, creed, national origin or ancestery in private housing sales or rentals.

At present New Jersey bans discrimination in housing supported by public funds. The new bill would extend this ban to housing financed without government funds. More than 200 persons appeared at the day-long hearing to express widely varying views.

The New Jersey Association of Real Estate Boards charged that realty men would be subject to unfair persecution if the bill were passed. William F. Bertschinger, appearing for the group, said a realty man, as agent for an owner, could be dragged into a suit if the owner practiced discrimination.

Senator Wayne Dumont, cosponsor of the measure, said there were two conflicting principles at stake: The right of Negroes to equality of treatment, and the right of home owners to contract with whom they please.

Jack Wood, housing secretary of the National Association for the Advancement of Colored People, said the continuation of present discriminatory laws threatened the urban renewal movement in the country. He said deteriorated neighborhoods to which Negroes were restricted by real estate brokers were being wiped out by urban renewal.

"None of these Negro families will be privileged to relocate where his heart desires and means permit unless effective legislation is passed enabling him to negotiate in the open market," Mr. Wood said, asserting that this ban could mean the creation of newly blighted areas.

Sydney Keller, area director of the American Jewish Committee, said the nation's two major population shifts were being made by middle-class white persons moving to the suburbs, and Southern Negroes moving to Northern metropolitan areas. If these trends should continue, he said, cities would be occupied largely by families least able to pay the taxes required to keep the cities functioning.

JFK's Fight

House May Reject Wage, School And Other Big Bills

By Congressional Quarterly

WASHINGTON.

"PAST is prologue," the House of Representatives may well reject President Kennedy's area development, minimum wage, and school aid bills. This possibility emerges clearly from a close study of votes taken on the same questions last year, together with the 217-212 vote Jan. 31 to enlarge the House Rules Committee from 12 to 15 members.

That vote, designed to outflank the committee's ruling "conservative coalition," was hailed as the harbinger of success for the Kennedy welfare program. But a closer look shows, for example, that among those who supported Speaker Sam Rayburn's flanking move were 15 members who took an anti-Kennedy position on all three of the 1960 roll calls examined. They were:

Democrats: Reps. Oren Harris and Wilbur B. Mills (Ark), John B. Pilcher (Ga), Overton Brooks (La), Wm. R. Hull Jr. (Mo), J. Carlton Loser (Tenn), Bob Casey, Frank Ikard, Paul J. Kilday, George H. Mahon, W. R. Peage, J. T. Rutherford and James C. Wright Jr. (Texas).

Republicans: Reps. Thomas B. Curtis (Mo), and Perkins Bass (NH).

Conversely, only one member who opposed the Rules Committee change took a pro-Kennedy position on the three welfare measures in 1960. He was Thor C. Tollefson (R-Wash).

This discrepancy suggests the nature of the President's problem: the five-vote "victory" of Jan. 31 overstates the extent of House support for his welfare program.

LIBERAL VS. CONSERVATIVE

Congressional Quarterly found that 260 representatives took a consistently "liberal" or "conservative" position on the four roll calls examined, and might be described as the "hard core" of the President's probable supporters and opponents.

The supporters included 132 Democrats and five Republicans — Reps. Paul A. Fine and Seymour Halpern (NY), Robert J. Corbett and James G. Fulton (Pa), and Alvin E. O'Konaki (Wis). The opponents included 46 Democrats — all but one from the South — and 77 Republicans, led by Minority Leader Charles A. Halleck (Ind).

With this group divided 137-123, it is clear that the President will need the support of close to one-half of the other 174 voting members (including 63 newcomers) if he is to get his welfare bills through. But the record is not encouraging.

Assume these things: that area development, minimum wage, and school aid bills go to the House floor in much the same form they took in 1960; that all members stick to their 1960 positions or (in the case of new members) take positions consistent with their Jan. 31 vote on enlarging the Rules Committee; and that members who took no position in 1960 are excluded from the count.

THE PROSPECTS

Here is what would happen:

- The area development bill would be rejected by a vote of 197-220.
- The minimum wage bill would be rejected by a vote of 192-240.
- The school bill would be rejected by a vote of 201-227.

Carrying these projections one step further—and ignoring the effects of absenteeism which tends to cut both ways—shows that the administration can turn defeat into victory if it picks up 12 votes for the area development bill, 25 votes for the minimum wage bill, and 14 votes for the school bill.

All of these may be forthcoming in due course, given the administration's powers of persuasion. But it is equally possible that the price of these extra votes will be compromise on the bills themselves. Here are what look like the most fruitful avenues open:

- Extra Republican votes for an area development bill, in return for a guarantee that it won't help some state to "pirate" industry away from other states.
- Extra votes on both sides of the aisle for $1.25 minimum wage, in return for a sharp reduction in the 4,300,000 new workers the President wants covered by the wage-hour law.
- Extra Southern Democratic votes for a school aid bill, so long as it doesn't carry the anti-segregation rider hung on it last year by Republicans and Northern Democrats.

HOUSING BIAS BILL

STATE G.O.P. BACKS HOUSING BIAS BILL

Impasse in Senate Ended in Caucus—Measure Is Milder Than '60 Plan

By WARREN WEAVER Jr.

Special to The New York Times.

ALBANY, Feb. 7—The Rockefeller administration and Republican Senators reached agreement today on a bill to prohibit discrimination in the sale or rental of some, but far from all, private housing in the state.

The agreement broke the impasse that began on adjournment day of the 1960 legislative session, when a group of Republican Senators refused to approve Governor Rockefeller's housing discrimination bill.

Passage Seems Sure

The bill the Senators backed today differs little from the one they rejected last year. One new clause exempts three-family houses in which the owner occupies one home.

Another new feature is an appropriation of $100,000 to the State Commission Against Discrimination to help finance the supervision of the proposed law.

Passage of the measure appeared assured. Some Democrats will probably attack it as too weak, but the great majority of Republicans appeared ready to support it, along with all the Democrats.

The measure would have relatively little effect in New York City, where the great majority of its provisions are already in effect under a local law.

It would probably be most effective in the New York suburbs, where private housing is built in developments. The State Committee on Discrimination in Housing estimated that it would affect only about 20 per cent of private housing upstate.

The major provisions of the bill forbid the following things:

¶Discrimination based on race, color, creed or national origin in the sale or rental of all multiple dwellings of three or more units, except the owner-occupied three-family house.

¶Discrimination in the sale or rental of private houses in developments of ten or more houses. This would affect only their initial sale; in succeeding transactions they would be exempt.

¶Discrimination in the sale or rental of all commercial property.

¶Refusal by a real estate broker or salesman to offer any housing accommodation to any prospective customer because of his race, color, creed or national origin.

¶Printing or circulation by a broker or salesman of any statement expressing a discriminatory limitation in the sale or rental of property.

¶Any discrimination by a lending institution in mortgage rates, terms or conditions because of the race, color, creed or national origin of the applicant.

Religious Groups Exempt

The bill would not affect religious or denominational organizations, which could continue to limit their facilities to their own members or adherents.

The administration measure was introduced by men long associated with such legislation: Senator George R. Metcalf, Republican of Auburn, and Assemblyman Bertram L. Baker, Democrat of Brooklyn.

The bill they sponsored last year would have barred discrimination in all private housing except one- and two-family houses.

The new bill would take effect Sept. 1. No specific penalties are provided for violations, but the discrimination commission would have the power, following an investigation, to force compliance by court order.

The Sharkey - Brown - Isaacs Law in New York City covers all aspects of the new bill except the one affecting commercial property and brokers and bankers.

Governor Rockefeller announced after the Senate conference that he was gratified by the decision. He called for early action on the measure.

The State Home Builders Association wrote all members of the Legislature today, urging them to oppose any housing discrimination bill. The group said New York did not need such a law and "any measure that attempts to legislate a state of mind is Communistic."

GOVERNOR LAUDS HOUSING BIAS BILL

Says He Compromised on 2-Family Homes to Help Gain Senator's Backing

By DOUGLAS DALES

Special to The New York Times.

ALBANY, Feb. 8—Governor Rockefeller conceded at a news conference today that he had agreed to a political compromise on a bill to curb discrimination in "as an encouragement to get the bill approved."

Asked whom he was trying to encourage, he replied: "a group known as the Republicans in the Senate."

Walter J. Mahoney, Senate majority leader, jettisoned a previous anti-discrimination bill on the final night of the 1960 session. He sent the bill to committee after it had been approved in the Assembly.

Mr. Rockefeller described the concession he had made on the 1961 version as "a minor one." The change would exempt three-family houses when the owner occupied one of the units. These properties were covered in last year's bill.

Hails Agreement

The agreement between the Governor and the Republican Senate majority on a measure that would bar discrimination in the sale and rental of private housing was reached yesterday.

Governor Rockefeller opened his news conference with a statement hailing the agreement as "a very important step forward."

"It puts us out in front again in providing equal opportunity for all our citizens," he said.

The exemption of three-family houses would principally affect Buffalo. New York City, which has its own law, would be affected little by the bill.

Speaker Joseph F. Carlino of the Assembly denounced today a Democratic statement that "it is common knowledge" that agreement on the housing bill had been part of a deal to assure passage of a bill that would set up a residency requirement for welfare assistance.

"As a member of the Republican leadership team," Mr. Carlino said, "I can state with authority that no deal has been made on this or any other matter relating to anti-discrimination legislation."

HOUSING-BIAS BILL PASSED BY SENATE

State Anti-Discrimination Plan Wins by 48 to 9—Assembly Approval Due

By DOUGLAS DALES

Special to The New York Times.

ALBANY, March 20—A bill to bar racial and religious discrimination in private real estate transactions was approved by the State Senate this afternoon.

The measure, which applies to some transactions involving residential property and to all involving commercial property, now goes to the Assembly, where a favorable vote is expected.

Passage in the Senate by a vote of 48 to 9 followed an hour-lon gdebate during which proponents defended the bill as a "step forward" and opponents attacked it as an invasion of private rights.

The measure represents a compromise worked out between Governor Rockefeller and Walter J. Mahoney of Buffalo, the Senate majority leader. Senator Mahoney blocked a similar bill on the final day of the session last year after it had received Assembly approval.

Residential property covered by the bill includes most multiple dwellings and all housing developments of ten or more houses. Excluded are one- and two-family houses, as well as three-family houses occupied by the owner.

Advertising Regulated

The bill also outlaws discrimination by real estate agents in negotiating sales or leases and in their advertising. It similarly bars racial or religious considerations by financial institutions in arranging loans or mortgages.

The principal effect of the new legislation would be outside New York City. The Sharkey-Brown-Isaacs Law there has barred discrimination in all but one-and two-family houses, and in residential developments of ten or more units since 1958. The New York City law, however, does not cover commercial property or restrict the activities of real estate brokers or bankers.

About 520,000 residential units outside New York City would be affected, according to Senator George R. Metcalf, Republican of Auburn, who sponsored the legislation with Assemblyman Bertram L. Baker, Democrat of Brooklyn.

Coupled with the New York City law, which covers 1,800,000 units, the bill would affect 41 per cent of the residential housing in the state, Senator Metcalf said.

Effect of Compromise

About 100,000 units would be exempted because of the exclusion of owner-occupied, three-family dwellings. The exclusion of these buildings was the compromise Governor Rockefeller approved to win approval of the bill in the upper house. Many of these exemptions are in Buffalo, Senator Mahoney's home city.

One Democrat, Senator Julian B. Erway of Albany, joined eight Republicans in opposing the bill in the upper house. The other negative votes were cast by Austin W. Erwin of Geneseo, Janet Hill Gordon of Norwich, Ernest I. Hatfield of Poughkeepsie, Robert G. McEwen of Ogdensburg, George E. Paine of Kooseville, George H. Pierce of Olean, Walter Van Wiggeren of Herkimer and Henry W. Wise of Watertown.

The Senate debate got under way with a proposal by Senator Joseph Zaretzki of Manhattan, the Democratic leader, to amend the bill by substituting for it the bill killed last year in the Senate. The only difference between the two is the Mahoney compromise.

"If we are going to eliminate discrimination in housing," Senator Zaretzki said, "let's go all the way now and once and for all declare that all men are regarded as equals."

Senator Erwin retorted that all are equal "except those who build their own house, with their own money and can't control his own house."

Senaotr Van Wiggern called the bill "one of those foot-in-the-door, camel-in-the-tent things."

"We are tampering with the basic concept of private property," Mrs. Gordon warned.

Senator Metcalf voiced sympathy with the unsuccessful Democratic move but said, "We must realize we can't start running before we walk."

Senator Manfred Ohrenstein, Democrat of Manhattan, said the bill was so weak he would vote against it except for fear his vote would be misinterpreted.

The effective date in the bill is Sept. 1. The measure carries an appropriation of $100,000 for its enforcement by the State Commission Against Discrimination.

Slim Edge, If Any, Is Rayburn's

Late Switches Or Absenteeism Could Swing Balance To Smith

WASHINGTON (AP)—House Speaker Sam Rayburn, D-Tex., appeared to have a razor-thin edge as the House faced a showdown vote today on his plan to enlarge the Rules Committee.

But his apparent hairline margin could vanish before the actual voting gets under way. Last-minute maneuvering plus possible absenteeism could swing the decision either way in the vote slated for early afternoon.

There was a slim outside chance that a showdown might be averted between Rayburn and Rep. Howard W. Smith, D-Va., Rules Committee chairman. Smith has fought any move to enlarge his group.

Talk of compromise still was in the air, although several proposed compromises have been turned down.

The Rules Committee frequently has deadlocked 6-6 on questions of sending legislation to the House for a vote. The deadlocks usually have been on legislation backed by liberal Democrats. The committee split has been four Republicans and two Southern Democrats against six Democrats.

ATTACKS COALITION

Rayburn's plan is designed to break the coalition hold by boosting the membership to 10 Democrats and 5 Republicans. The additional Democrats would be men picked by Rayburn on the theory that they would vote for bills backed by the speaker and advocated by the Kennedy administration. If they voted that way, Rayburn forces would control the committee by an 8-7 edge.

The latest compromise move to stave off a fight almost certain to split Democratic ranks for some time was initiated by Rep. Francis E. Walter, D-Pa.

Walter came up with a plan to let the House itself decide what bills it will consider, and under what conditions, if the Rules Committee deadlocks.

The showdown on the Rayburn plan originally was scheduled for last Thursday but Rayburn put it off until today.

President Kennedy meantime has made two major public appearances, once in a televised news conference and again Monday in his message to a joint session of Congress.

The speaker's determination to force the test today indicated his confidence that the President's two appearances had swung the votes necessary for the rules change.

SMITH CONFIDENT

Smith was just as confident. His followers believed the President's indirect criticism of the Eisenhower administration might have alienated some GOP votes on which Rayburn is counting.

If all 436 House members show up—which is very unlikely—the side with 219 would win. An unusually heavy turnout for the house is 430, of which a majority is 216.

Rayburn's camp is counting on at least 20 Republican and 198 Democratic votes for a total of 218. Smith followers believe they have 155 Republican and 63 Southern Democratic votes for a total of 218. Both counts assume a full turnout of voting members.

WHITE HOUSE ACTS IN FIGHT ON RULES

Patronage Aide Makes Calls —Rayburn Now Confident —House Votes Today

By JOHN D. MORRIS
Special to The New York Times

WASHINGTON, Jan. 30—The White House took a hand today in the battle for liberalization of the House Rules Committee.

This and other developments on the eve of the decisive vote prompted the first confident victory talk from Speaker Sam Rayburn's forces.

The White House activity was reliably reported to have included telephone calls to a number of doubtful or wavering House Democrats by Lawrence F. O'Brien, President Kennedy's assistant in charge of patronage and Congressional liaison.

He was understood to have strongly urged them to vote for Mr. Rayburn's proposal to gain control of the Rules Committee and thus avert the possible obstruction of much of the President's legislative program.

No Overt Action

President Kennedy was said to be taking no overt part in efforts to line up a House majority for the Rayburn plan, but sources close to him reported that he had been in telephone communication with strategists of the Rayburn camp.

At the same time, the President was represented as believing that his prestige in the eyes of the world and his ability to deal effectively with Soviet Premier Khrushchev might be seriously impaired if the rules proposal were rejected.

The White House activity added to mounting pressure being exerted by both sides in what has become a crucial test of power, especially for Speaker Rayburn, his Democratic leadership and Administration forces in the House.

The decisive vote will come after an hour's debate in the House tomorrow on Speaker Rayburn's resolution to raise the Rules Committee's membership from twelve to fifteen.

Sure of 217 Votes

The committe, which now has an authorized roster of eight Democrats and four Republicans, regulates the flow of bills from other committees to the House floor.

In recent years a conservative coalition of two Southern Democrats and four Republicans has been able to block much legislation favored by liberals by forcing 6-to-6 deadlocks.

Two Democrats and one Republican would be added under the Rayburn liberalization plan. This should shift control to Administration forces led by Mr. Rayburn by giving him an 8-7 majority.

Rayburn forces said tonight that they had picked up at least two votes and could now definitely count on the support of 217 Representatives in tomorrow's showdown. They said they had firm commitments from 194 of the 261 Democratic members of the House and twenty-three of the 174 Republicans.

With two vacancies in the House, an absolute majority is 218. But prospective absentees are expected to reduce the majority needed for victory tomorrow to about 210.

Representative Howard W. Smith of Virginia, Speaker Rayburn's chief antagonist in the power struggle, stood by an earlier forecast of victory for his forces, which consist entirely of Southern Democrats and Republicans.

Mr. Smith said opponents of the enlargement proposal had gained strength since last Tuesday, when Mr. Rayburn called a five-day postponement of the decisive ballot in an apparent show of uncertainty over the outcome. No estimate of the number of votes it commands comes from the Smith camp.

While pressure from Administration sources and Democratic Congressional leaders apparently yielded a net increase in strength for proponents of the Rayburn plan, there was some bitter resentment.

Carolinian 'Shocked'

In one such instance, Representative Alton Lennon of North Carolina declared that he was "shocked and amazed" at a hint from the Interior Department that a de-salting plant planned for his Congressional district might not be built. Mr. Lennon is one of ten North Carolina Democrats counted as opponents of the rules proposal.

Among mounting pressure from the other side, there was an apparent intensification of a campaign that has been producing a heavy flow of letters, telegrams and telephone calls to representatives from business and industrial leaders at home.

Liberal Democratic sources attributed this to a recent conference in which they said Representative Smith had urged lobbyists for several conservative national organizations to organize such a campaign. Mr. Smith declined to confirm or deny the report.

Organized labor is also stepping up its activity on behalf of the Rayburn plan. Lobbyists for the American Federation of Labor and Congress of Industrial Organizations have been actiye at the Capitol for the last week. Andrew J. Biemiller, chief lobbyist for the A. F. L.-C. I. O., sat in today on at least one strategy conference with House liberal leaders.

Rayburn forces also were getting help from Gov. Terry Sanford of North Carolina, who was in Washington for a speech. He made several telephone calls, with doubtful success. A lone North Carolinian, Representative Herbert C. Bonner, was counted tonight as a definite supporter of the rules proposal.

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HOUSE RULE COMMITTEE

The Heat's On—

Southern Demos In For Reprisals

On Hot Spot In Rules Battle

Birmingham Post-Herald

Birmingham Ala.

WASHINGTON, Jan. 29 (UPI)—Southern Democrats caught in the middle of the bitter struggle over the House Rules Committee were discovering today they may face political reprisals no matter which side they choose.

Those Southerners who still are undecided were trying to make up their minds whether it is politically safer to support or to oppose the wishes of Speaker Sam Rayburn and President Kennedy on the first important vote of the 87th Congress.

Their decision probably will determine the outcome when the House votes Tuesday on Rayburn's plan to liberalize the House Rules Committee by adding three members, thereby eliminating a potential roadblock to Kennedy's legislative program.

Controlled By Coalition

The committee in the last Congress was controlled by a conservative coalition of Republicans and Southern Democrats who roadblocked some liberal legislation.

Both sides in the struggle, Administration and conservative, were claiming a victory. Both sides agreed a handful of votes would decide the issue. The outcome hinged on the number of Southern Democrats who oppose the Democratic leadership and the number of Republicans who cross party lines to support the plan.

The plight of many Southern Democrats was particularly painful for two major reasons:

—On the one hand, they were getting numerous warnings from home of political reprisals at the polls in the next Democratic primary if they desert the conservative coalition and support Rayburn. Rayburn said yesterday that the telegrams from the South were being inspired by the U. S. Chamber of Commerce and the National Association of Manufacturers. He said 80 per cent of them here coming from people who voted for Richard M. Nixon in the presidential election.

Influence Loss Threatened

—On the other hand, Southern Democrats were being told that if they opposed Rayburn's plan their influence in Washington would drop close to zero during the Kennedy Administration.

Some of Rayburn's supporters were predicting that Democratic defectors would get no favors in committee assignments, or Federal patronage. And they would have almost no chance to win congressional approval of job-creating projects at military installations or rivers and habor developments in their district.

They were being reminded that Rayburn, although he has not punished defectors in the past, regards this as a personal issue involving his own prestige.

Rayburn's supporters also are warning potential defectors that Kennedy has a reputation for being "politically tough" and for having a long memory.

Nevertheless, the Southeast was lined up almost solidly against Rayburn. So far the speaker has been unable to line up a single vote from the Virginia, Mississippi and South Carolina delegations, and has only four for sure among the 30 congressmen from Georgia, Florida and South Carolina.

Outside the Southern and border states, polls indicated Rayburn had solid Democratic support. Rep. Chet Holifield, (D., Cal.) chairman of the Democratic liberal bloc known as the Democratic Study Group, sent the group's members a memo this week-end urging them to be on the House floor at noon Tuesday.

"If everyone pledged to support the speaker is on the floor Tuesday there will be no doubt of the outcome," he said.

Javits Favors Rayburn Plan

The amount of support for Rayburn among the 174 Republicans in the House ranged from 15 to 23, depending on whose poll was studied.

Sen. Jacob K. Javits (R., N. Y.) said today he hopes "very much that as many Republicans as possible," will support Rayburn's move to "break the power" of the Rules Committee conservatives to bottle up legislation.

However, polls indicated that no more than three of New York's 16 Republicans would support Rayburn.

Sen. Hugh Scott (R., Pa.) said he favored adoption of Rayburn's plan because it would deprive the Democratic leadership of any excuse for failing to pass desired legislation.

The polls indicated that no more than two of Pennsylvania's 16 House Republicans would support Rayburn.

Vote Nears On Packing Rules Unit

Montgomery Advertiser

WASHINGTON (AP) — House leaders sought Monday to determine what effect if any President Kennedy's State of the Union speech will have on an expected Rules Committee showdown Tuesday.

Both sides professed to find comfort in Kennedy's words.

A last-ditch compromise proposal came from Rep. Francis E. Walter, D-Pa., as rival groups gathered behind Speaker Sam Rayburn D-Tex., on one side and rules committee Chairman Howard W. Smith, D-Va., on the other.

Rayburn wants to enlarge the committee to 10 Democrats and 5 Republicans. He believes that would break the hold now exerted on the committee by a coalition of republicans and Southern Democrats who in the past have been able to block legislation of the type Kennedy is likely to offer.

Smith wants to keep the membership at eight Democrats and four Republicans.

Walter proposed a compromise under which the House itself would decide what bills to clear for a vote if the rules committee deadlocked. In past Congresses, many bills have been withheld from the floor because four Republicans and two Southern Democrats refused to approve them. This created a 6-6 tie vote in the committee.

Walter said the procedure he proposed would give the speaker control because it would allow the House to make the final decision.

Rayburn's announced reason for wanting to increase the committee's size is that it might assure the House an opportunity to vote on Kennedy-backed legislation. He contends this opportunity may be lacking under the present set-up.

The Walter compromise, like several others that preceded it, lasn't given much chance.

Smith told reporters he believed a showdown vote Tuesday is inevitable.

"Those of us who oppose this packing scheme," Smith said in a letter to all House members, "have offered every honorable solution for the sake of harony."



HAPPY WINNER — House Speaker Sam Rayburn smiles after the House of Representatives, by a five-vote margin, voted to enlarge the Rules Committee. (UPI Telephoto).

Rules Committee Declines To Take Lincoln's "Angles"

By FRAN ELEAZER
United Press International

WASHINGTON UPI — The House Rules Committee declined Tuesday to line itself up with the angels, even with the "better angels" on whom Abrahma Lincoln placed his reliance.

Some of its critics recently have been inclined to view the committee as more akin to the devil, anyway. But this wasn't the issue as chairman Howard W. Smith D-Va., convened the enlarged committee with its two new liberal members present for the first time.

He welcomes Reps B. F. Sisk, D-Calif., and Carl Elliot, D-Ala., whose appointments broke a conservative lock on the committee, and seated them in unyielding, straight-backed, temporary chairs.

Under his new speed-up program he has said his committee will cooperate with House leaders so closely they won't be able to stand it. Smith next sailed through consideration of routine housekeeping resolutions. He then called Rep. Fred Schwengel, R-Iowa, to the witness chair.

DREW SMITH'S ATTENTION

Schwengel had in a bill to authorize re-enactment of the first Lincoln inaugural, which took place on the capitol steps 100 years ago March 4. The resolution was replete with "whereases," the last of which drew the chairman's attention.

"Whereas the better angels do, in fact, tough us," it read, "how therefore be it resolved," etc.

"Is that what you really meant to say?" Smith inquired, apparently suspecting a misprint. Schewengel said it was.

"You're classifying the angels?" Smith asked, unbelieving. "Some are better than others?"

"I can't testify as to that," Schwengel evaded. "I have never been in the realm."

"Maybe you will want to amend it," Smith suggested.

LIFTED FROM ADDRESS

Rep. Richard Bolling, D - Mo., apparently somewhat of a Lincoln scholar, told Smith this language was lifted directly from Lincoln's inaugural address, in which he called on "th better angels of our nature" to help heal the developing national breach.

"I just don't like classifying angels," said Smith.

Rep. Sisk, the last man in the room to be suspected of an alliance with Smith, threw his immediate support to the chairman. He said the fact was Schwengel's resolution was overset with whereases, and that he for one never cared for them much.

That did it. The committee referred Schwengel's bill to subcommittee, with instruction to study and rewrite it. And if Lincoln, a pretty fair author, gets rewritten in the process, he won't be the first presiden t to be second-gussed by the house of rules committee.

Hands JFK First Victory For Program

Slim 5-Vote Margin Will Add Two To Powerful Group

BY VINCENT J. BURT

WASHINGTON, Jan. 31 (AP)—The House handed President Kennedy his first big congressional victory today by smashing a conservative Rules Committee roadblock that could have blocked action on key parts of his legislative program.

By a slim five-vote margin, the tense House approved 217-212 a proposal by Speaker Sam Rayburn, D., Tex., to liberalize the powerful committee by increasing its membership from 12 to 15. The action meant that Rayburn should now control the group 8 to 7.

The vote was a triumph for Kennedy who was said to feel that his international prestige as well as his program was at stake. Aides said he believed his ability to deal with Russia would have been impaired by a defeat in Congress now.

Rayburn Won

The outcome also preserved the prestige of Rayburn, who threw his full strength into the battle against Rep. Howard W. Smith, D., Va., chairman of the Rules Committee and a wily old political pro.

Smith headed a Southern Democratic-Republican coalition which in the past has pigeonholed welfare bills similar to those Kennedy will submit.

On the showdown vote before packed galleries, 22 Republicans broke with their party leaders to join 195 Democrats in support of the Rayburn plan. Sixty-four Democrats, all from Southern and border states, defied Rayburn and joined 148 Republicans in opposing it.

While the Kennedy - Rayburn forces carried the day, their narrow victory margin may signal a tough road ahead on the House floor for administration bills dealing with such issues as aid to education, minimum wage and medical care for the aged.

To Name Two

Rayburn now will name two additional Democrats to the committee. One is expected to be a Western liberal and the other a moderate Southerner. The third additional member will be a Republican chosen by the conservative GOP leadership.

This should mean the end of the power of the coalition of two Republicans and four Democrats which has forced 6-6 committee deadlocks on previous welfare bills. The committee channels legislation to the House floor and, under House rules, a tie bottles up bills.

Before the battle, Smith told the House that if "there's any quarrel between myself and the speaker, it's all on his side." He said he wanted to co-operate with his party's leaders to the extent his conscience would let him.

He took his defeat philosophically.

"As far as I know," he told a reporter, "I am still chairman of the Rules Committee."

Makes Final Plea

Just before the vote, Rayburn laid down his gavel and strode to the well of the House to make a final plea for his plan. He was given a standing ovation by both Republicans and Democrats before he started. The applause he got afterward was mostly from Democrats.

Rayburn said the issue was simple, whether the House was to be assured a chance to consider the Kennedy legislative program, or whether it was going to be bottled up in the Rules Committee. He also replied tartly to Smith's charge that he planned to "pack" or "stack" the committee.

The speaker said Democratic leaders once "packed" the committee when they put Smith on it and that he personally "packed" it by installing as a member Rep. William M. Colmer, (D., Miss.) Smith's ally in the Southern Democrat-Republican coalition.

Smith, fighting to the last, pledged before the vote that he would not try to bar floor votes on five bills which Kennedy had placed on his immediate priority list—education, housing, minimum wage, aid to depressed areas and medical care.

Noting that he sometimes had been accused of retiring to his Virginia farm to milk cows when confronted with legislation he opposed, Smith also pledged there would be "no undue delay in calling committee hearings at the speaker's request."

Compromise Proposed

But Rayburn, who had spent more than a week rounding up votes, scoffed at Smith's compromise offer. He said the offer was limited to five Kennedy bills and that the Administration planned to submit many proposals that should be assured consideration.

Shortly after the vote the House recessed until Thursday when Kennedy will submit proposals to strengthen the economy and deal with the balance of payments deficit.

Smith accused the Kennedy Administration of trying to influence votes with implied threats. He said a number of Southern Democrats told him that Lawrence F. O'Brien, Kennedy's patronage chief, called them in an effort to sway their votes.

House Republican leaders threw their support behind Smith in his losing fight. Rep. Leslie C. Arends, Ill., GOP whip, accused the Administration of trying to seize control of the committee so it could bull through any welfare legislation it wanted.

House GOP Leader Charles A. Halleck, Ind., said many people throughout the country opposed the committee enlargement because they feared it signalled the "collapse of all opposition" to reckless promises made by Kennedy during the election campaign.

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JAVIT'S BILL

USE OF FEDERAL FUNDS IN BUILDING
AIRPORTS WITH SEGREGATED FACILITIES

How they voted

Afro American B3
Sat 8 Baltimore, Md

WASHINGTON

Here's how the Senate vote last week on Sen. Jacob Javits' bill to halt the use of federal funds in building airports with segregated facilities:

FOR SEGREGATION — 54

DEMOCRATS — 37

Clinton P. Anderson, N. Mex.; E. L. Bartlett, Alaska; Alan Bible, Nev.; Harry F. Byrd, Va.; Richard C. Byrd, W. Va.; Howard W. Cannon, Nev.; Frank Church, Ida.; James O. Eastland, Miss.; Allen J. Ellender, La.; Sam J. Ervin, N.C.; J. W. Fulbright, Ark.; Ernest Gruening, Alaska.

Vance Hartke, Ind.; J. J. Hickey, Wyo.; Lister Hill, Ala.; Spessard L. Holland, Fla.; Henry M. Jackson, Wash.; Olin Johnston, S.C.; B. Everett Jordan, N.C.; Russell B. Long, La.; Oren E.Long, Hawaii; Mike Mansfield, Mont.; Warren G. Magnuson, Wash.; John L. McClellan, Ark.; Gale W. McGee, Wyo.; Lee Metcalf, Mont.

A. S. Mike Monroney, Okla.; Frank F. Moss, Utah; John O. Pastore, R.I.; Claiborne Pell, R. I.; A. Willis Robertson, Va.; Richard B. Russell, Ga.; George A. Smathers, Fla.; John J. Sparkman, Ala.; John Stennis, Miss.; Herman E. Talmadge, Ga.; Strom Thurmond, S.C.

REPUBLICANS — 17

Wallace F. Bennett, Utah; J. Caleb Boggs, Del.; Styles Bridges, N.H.; Frank Carlson, Kans.; Norris Cotton, N.H.; Carl T. Curtis, Neb.; Everett M. Dirksen, Ill.; Henry C. Dworshak, Ida.; Bourke B. Hickenlooper, Iowa; Jack Miller, Iowa;

Thruston B. Morton, Ky.; Winston L. Prouty, Vt.; Leverett Saltonstall, Mass.; Andrew F. Schoeppel, Kans.; John G. Tower, Tex.; John J. Williams, Del.; Milton R. Young, N.D.

AGAINST SEGREGATION — 33

DEMOCRATS — 19

Joseph S. Clark, Pa.; Thomas J. Dodd, Conn.; Paul Douglas, Ill.; Clair Engle, Calif.; Philip A. Hart, Mich.; Hubert Humphrey, Minn.; Frank Lausche, O.; Edward V. Long, Mo.; Pat McNamara, Mich.; Wayne Morse, Ore.; Edmund B. Muskie, Me.;

Maurine B. Neuberger, Ore.; William Proxmire, Wis.; Jennings Randolph, W. Va.; Benjamin A. Smith, Mass.; Stuart Symington, Mo.; Stephen M. Young, O.; John A. Carroll, Col.; Harrison Williams, N.J.

REPUBLICANS — 14

George D. Aiken, Vt.; J. Glenn Beall, Md.; Prescott Bush, Conn.; Clifford P. Case, N.J.; Francis Case, S. Dak.; Hiram L. Fong, Hawaii; Barry Goldwater, Ariz.; Jacob K. Javits, N.Y.; Kenneth B. Keating, N.Y.; Thomas H. Kuchel, Calif.

Karl E. Mundt, S. Dak.; Hugh Scott, Pa.; Margaret Smith, Me.; Alexander Wiley, Wis.

FULL TEXT OF GOV. JOHN PATTERSON

Full Text Of Patterson's Message On Redistricting

Montgomery Advertiser 8/8
Art 8-26-61

Here is the full text of Gov. Patterson's message to the legislature in which he forcefully expressed his opposition to the carve-up redistricting bill.

Montgomery Ala

"In a message to the legislature last May, I urged enactment of a congressional redistricting bill which would be fair to the people of every county and section of Alabama. In my considered judgment, House Bill 244, as amended, which dissects Jefferson County into four parts and deprives our most heavily-populated area of direct representation in Congress is not fair and equitable answer to the relistricting problem.

"It is the fudamental duty and obligation of the governor to serve and promote the best interests of our entire state. Because I am convinced that House Bill 244, as amended, is injurious and unfair not only to Jefferson County, its multiple thousands of industrial workers and its great productive enterprise, but to the people of Alabama as a whole, I am returning it without my approval for the following reasons.

★ ★ ★

"1. Redistrticting has been necessitated by the loss of population during the last decade in some Alabama sectors; yet HB 244, as amended, goes to the center of growth and economic development, destroys a congressional district which has greatly increased in population, and penalizes that area for its progress.

"2. THIS BILL WOULD be interpreted, in and out of Alabama, as creating an unfavorable industrial climate calculated to work irreparable injury upon our state for years to come. Needed industries would regard it as an unfriendly legislature act toward prospective creators of plants and payrolls. The effect on our industrial workers, many of whom are in need of jobs, could be catastrophic.

"3. Historically, our legislature has respected and protected our 67 counties as political entities. Never has an Alabama county been partitioned except by consent. This bill would destroy that basic tradition and establish a dangerous precedent for the future. I would unhesitatingly go to the assistance of any county in Alabama if that county were the victim of detrimental legislation.

★ ★ ★

"4. Admittedly, any county in this state or in any state of the United States with sufficient population might conceivably and jusifiably be divided into more than one congressional district. But to divide a single county, having enough population to warrant a congressional district of itself and in fact being the most populous county and congressoional district in the state, into four separate parts and parceling these out to surrounding congressional districts so as to divest the citizens of that county of direct representation in Congress, is to me unthinkable, unwise, above all wrong, and therefore unconstitutional, when considered from the standpoint of constitutional government in its larger concept.

"5. GROWING AREAS SHOULD not be required to take the brunt of this redistricting program. This is not the democratic way to settle the problem. It is inconsistent with the sense of fair play which all Alabamians share. To deny the people of our most populous county a concerted voice in a congressional district is illogical, unwarranted, punitive and unjust.

"6. I believe that HB 244, as amended and passed, would have wideflung repercussions tending to divide our people, retard our steady economic advance and jeopardize the harmony, cooperation and friendly understanding now existing between the people of all of our counties.

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"I submit for your consideration the above executive amendment to HB 244 which, if adopted, will prevent injustice and harm to our state and approach the problem in a way that is democratic and eminently fair to every member of our splendid congressional delegation and to the people of every county in the state of Alabama.

ON THE FIRST DAY of this Regular Session of the Legislature, May 2, 1961, I appeared before you and stated to you that we had serious problems facing us in this session. One of the problems which I had in mind at that time was the congressional redistricting of the state. I stated to you that we must do everything that we possibly can to better serve every citizen of Alabama. I further stated, and I quote, 'It is our duty to lay aside personal desires, political aspirations, and feelings of regionalism, so that we may discharge our duties in a manner that will merit the confidence of all Alabamians.' HB 244, as amended, in my opinion, was not motivated in the best interest of all of our citizens, but on the other hand was motivated by personal desires, political considerations and the feelings of regionalism. As you know, I did not take part in the deliberations of the legislature while this bill was under consideration before your bodies. However, realizing that it is the duty of the governor of Alabama to represent all of the citizens of the state no matter who they are or where they live, I cannot conscientiously allow a bill to become law without my signature or to sign a bill into law which has been so motivated.

"Adoption of the above suggested amendment will remove my objections to the bill and resolve this problem in a democratic manner by giving the people themselves a direct voice in the matter. With adjournment almost at hand, I recommend this as the best way, under the circumstances now existing, to deal with the isssue on a basis of democratic action and fair play at this time. The people of Alabama, always noted for their fairness, can be depended upon to render a just verdict and judgment."

4 AGAINST 337

Judgeship bill enables JFK to act

WASHINGTON

The judgeship bill now in process of being enacted by the Congress will give the Kennedy Administration a longstanding deficit of colored judges in the Federal judiciary, according to legal circles here.

A bill which would create 73 new Federal judgeships passed the Senate last Friday.

In the House, the Judiciary Committee is considering a bill which would add 63 judges.

If the House enacts this bill, then the two proposals would go to a House-Senate Committee where the differences between the two measures would be "ironed out."

* * *

THE REVISED measure then would be returned to the Senate and House for final action.

In support of the contention that it is imperative for President Kennedy to appoint qualified lawyers to the Federal courts, it was pointed out that of the 337 Federal judges only four are colored.

They are Judges William Hastie, Irving C. Mollison, Scovel Richardson and Walter A. Gordon.

The first colored judge was appointed in 1937 by President Franklin Roosevelt.

* * *

DURING THE 24 years since 1937, five colored persons have held six Federal judgeships, three of which have been outside the continental United States.

In addition to the judgeships that would be authorized by any new legislation Congress enacts, President Kennedy must fill eight existing vacancies in District Courts.

The serious shortage of colored representation among Federal judges was discussed at the 1960 annual convention of the National Bar Association.

The group adopted a resolution calling upon the President to appoint qualified colored lawyers when vacancies occur.

A delegation from the Association later met with President Kennedy, then the Democratic nominee for the presidency, and discussed the subject with him.

SCHOOL-AID PLAN STIRS RACE ISSUE

Kennedy Bill Is Threatened by Powell's Proposal for Rider on Desegregation

Special to The New York Times.

WASHINGTON, Feb. 20—President Kennedy's program to aid schools provoked today a racial controversy that jeopardized passage of the bill even before it was introduced.

The dispute arose over an Administration decision against using the program as a lever to enforce desegregation of public schools in the South.

The decision brought an immediate threat by Representative Adam Clayton Powell Jr., Democrat of Manhattan, to press for Congressional approval of an anti-segregation rider to the authorization bill. Mr. Powell is chairman of the House Education and Labor Committee, which will handle the measure.

Such a rider would unite Southern legislators in opposition to the bill and possibly would result in its defeat by a coalition of Southerners and conservative Republicans. Similar riders have been a major factor in the failure of such legislation in the past..

Calls It a 'Side Issue'

The Administration's position was made known at a news conference by Abraham A. Ribbicoff, Secretary of Health, Education and Welfare. He was asked whether the Administration intended to withhold Federal school funds from states that failed to comply with the Supreme Court's desegregation decree of 1955.

"I think it is a trageedy to put on the back of education the problems of everything, including the problem of civil rights," Mr. Ribbicoff said. "We should not block education with side issues."

Mr. Ribbicoff said that "there is no law" authorizing denial of Federal funds to states that maintain segregated school systems.

Mr. Powell's rider, if written into law, would make it mandatory for the Federal Government to withhold funds from states that do not segregate.

Mr. Powell, who is a Negro, threatened to press for adoption of the rider unless the President agreed to carry out its purpose by Executive order.

Hails Measure on Floor

On the House floor, Representative Powell hailed the Kennedy education program as "dynamic." He promised to hold hearings immediately after the authorization bill is introduced Wednesday.

Senator Wayne Morse, Democrat of Oregon, said that he would introduce the bill in the Senate as chairman of a Labor and Public Welfare subcommittee that has jurisdiction. He planned to start hearings the week after next.

"I strongly support this bill and am going to fight for it as is," he said.

Other liberal Democrats also praised the President's proposals, but stiff opposition was in prospect from conservative Democrats and Republicans. Many conservatives oppose any form of Federal aid to education. Others favor limited and less costly measures.

Everett McKinley Dirksen of Illinois, the Senate Republican leader, said that the Kennedy program "obviously is going to play hob with the Federal budget" and "put us in the middle of deficit financing."

Favors Substitute Plan

He said that he would press for adoption of a substitute measure limiting Federal grants to school construction on the basis of state need.

Senator Barry Goldwater, Republican of Arizona, introduced another substitute designed to increase local school tax money by granting a Federal income-tax deduction.

Liberal Republican Senators rallied behind a third substitute sponsored by Senators John Sherman Cooper of Kentucky, Jacob K. Javits of New York and others. The bill calls for more liberal grants to high-income states than President Kennedy proposed.

The strongest opposition to the President's program is concentrated on the proposed use of Federal funds for teachers' salaries.

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LABOR BILL

Wage Bill Compromise Is Completed

Hard House Fight Expected Despite Some Concessions

WASHINGTON, May 1 (AP) — Senate-House conferees agreed today on a minimum wage bill close to Administration aims and set the scene for a rugged House battle over this key part of the "new frontiers" program.

In composing differences between bills already passed by Senate and House, the conferees agreed on raising the hourly minimum wage from $1 to $1.25 by 1962 and adding about 3,624,000 workers to the 24 million now covered.

While the compromise bill came much closer to the original Senate version than to that of the House, some concessions were made in an effort to gain votes in the House.

One of these dropped 305,000 auto dealers' employes from coverage and another exempted 140,000 workers in large laundries.

Far From House Version

But even these changes left the compromise far from the House version which called for an increase to only $1.25 and extended coverage to 1.2 million.

The compromise is expected to come up in the Senate Wednesday and pass easily. It is slated for House action later that day and the going is certain to be rough.

Rep. Adam Clayton Powell, (D., N. Y.), chairman of the conference committee and head of the House conferees, predicted the compromise would pass his branch by about a dozen votes.

If it passes at all, it will be a sharp reversal for the coalition of Republicans and Southern Administration version and substituted its own. The final vote on House passage was 216-203 but on the key test earlier, the combined forces won by a single vote, 186,185.

Retail Stores Covered

Enactment of the bill would be an historic breakthrough into the retail store field.

Of the additional 3,624,000 employes brought under the act, 2,233,000 would be in retail stores and service establishments.

Covered would be stores which do more than $1 million of annual business, or are part of a chain doing this amount, so long as the enterprise buys $250,000 worth of goods each year which across state lines. A chain store unit would not be covered unless it grosses $250,000.

Exempt would be employes of hotels, motels, restaurants, motion picture theaters, hospitals, and amusement or recreational establishments operating on a seasonal basis.

The schedule agreed upon in the compromise bill:

Minimum wage—$1 the first three years, $1.15 the fourth year, and $1.25 beginning in the fifth year; overtime—none the first two years, after 44 hours in the third year, after 42 hours in the fourth year, and after 40 hours beginning in the fifth year.



United Press International

President Kennedy signs a bill to increase the minimum wage to $1.25 an hour and to extend its coverage. From left, Rep. Adam Clayton Powell (D-N. Y.); Rep. John McCormack (D-Mass.); Rep. Alvin E. O'Konski (R-Wisc.); Rep. James Roosevelt (D-Calif.); George Meany, president of the AFL-CIO (partially hidden) and Labor Secretary Arthur Goldberg. Other two men are unidentified. The bill covers 3.6 million more workers.

Potato Growers Rap Migrant Labor Bill

A spokesman for Irish potato growers in the northeastern part of the State spoke out Thursday in opposition to a bill to give the State Board of Health authority to make regulations for migrant labor camps.

John Broom, executive director of the North Carolina Potato Association, said he felt he was expressing the views, too, of vegetable growers.

Broom appeared before the Senate Public Health Committee at a hearing on a bill to require minimum health and sanitation standards for migrant labor camps and to give the State Board of Health power to make the regulations.

Supporting Groups.

The measure was proposed by the Governor's Committee on Migratory Labor, headed by State Agriculture Commissioner L. Y. Ballentine. It was supported by spokesmen for the Board of Health and Public Welfare Department, and by church women and other groups.

After the hearing, the committee members generally agreed Broom had a point in asking that minimum standards be spelled out in the law. They decided to turn the bill back to the Health Department, to be rewritten to incorporate the minimum standards.

Broom said his assocation would be willing to support specific legislation, if it could be worked out.

"We admit there should be some minimum standards . . . but we oppose blanket authority to an appointed board . . . which under the influence of do-gooders and over zealous idealists might adopt overly stringent regulations," Broom asserted.

Migrants Increasing.

Walter C. Lackey, regional supervisor for the Board of Health, said use of migrant labor is increasing. Housing facilities for them in North Carolina, he added, "ranges from the ridiculous to the sublime, but as a whole, most of it is fair to good." He said State regulation would protect the farmer from more severe federal requirements.

Others speaking for the bill included Mrs. Betsy Seymour, executive secretary of the Legislative Council; Mrs. Harold Dudley of Raleigh, president of the North Carolina Council of Church Women; the Rev. Russell Fleming of Raleigh, representing the Public Affairs Committee of the North Carolina Council of Churches; and Mrs. Clifford Tracy, representing the State Welfare Department.

$1.25 Hour Pay Boost Is Signed

Atlanta Daily World
5-6-61
Atlanta Ga
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By HALE MONTGOMERY
(United Press International)

WASHINGTON (UPI)—President Kennedy signed into law Friday the bill raising the minimum wage from $1 to $1.25 an hour and hailed it as the foundation for "greater gains in the months and years ahead."

Nailing down his comeback legislative victory, the President told congressional leaders and union officials assembled for the White House ceremony that the new low "doesn't finish the job but it's a most important step forward."

The bill extended wage - hour law coverage to an additional 3.6 million workers, raising to 27.5 million the number of employes now under the law's protection.

NINE CENT PAY INCREASE

About 1.9 millon perviously covered workers will get average pay increases of nine cents an hour when the new law becomes effective on Sept. 5, the day after Labor Day.

The rest of the workers already covered now are paid more than the minimum. The wage floor goes up to $1.15 on Sept. 5 and to $1.25 two years later.

Of the newly covered workers, about 663,000 also will get raises on Sept. 5 when the new $1 an hour minimum goes into effect for them. They will reach the top minimum in about 4 1-2 years.
most of the employes covered for the first time are in chain grocery, clothing and department stores.

The President used 20 pens to sign the bill and passed them around to the congressional leaders union officials, including AFL-CIO President George Meany.

"HARDEST FIGHT"

"I don't believe there is an American who believes that any man or woman working in interstate commerce should receive less than $1.25 an hour or $50 a week," the President said. "That itself is a very minimum wage."

Labor Secretary Arthur J. Goldberg, referring to the congressional fight over the legislation, said the battle was "hardest fight so far."

Atlanta Daily World

On March 24, the House dealt the President a sharp defeat when it rejected an administration bill by a one-vote margin. But this setback was reversed Wednesday when the House approved 230 - 196 a compromise version much like the President's request. The Senate passed it 64-28 the same day.

The measure had been sweetened somewhat to lure some Democrats away from the Republican-Dixie Democratic coalition that had opposed it originally. For one thing, it excluded from wage-hour coverage certain cotton gin and laundry employes.

Solons Pass Death Bill For Piracy

Senate Votes, 92-0, OK On Bill; House Passage Expected

WASHINGTON (AP) — The Senate voted Thursday to make airplane hijacking an offense punishable by death.

Aroused by the pirating of a jetliner over Mexico Wednesday, the Senate raised the maximum possible penalty from life imprisonment in a bill already pending and then passed it by a vote of 92-0.

The measure now goes to the House which is preparing its own version of a criminal code for crimes in the sky.

Neither measure would apply to the father-son team of Leon and Cody Bearden who were captured at El Paso, Tex. last Thursday after hijacking a Continental Airlines jet, or to Albert Charles Cadon, the young Frenchman charged with Wednesday's hijacking.

The legislation if passed would become effective upon enactment.

The action came amid these developments:

'BE IN CUBA'

1. President Kennedy announced at his news conference that border patrolmen are being assigned to some airliners to guard against hijackers. Kennedy said there are indications that persons of the lunatic fringe have seized on this device for getting their names in the papers.

2. Daget Howard, general counsel of the Federal Aviation Agency, told a Senate subcommittee that the agency is "working overtime on many angles" in an effort to thwart hijackings.

Despite the return of the Pan American World Airways plane which was hijacked over Mexico Wednesday and flown to Havana, some senators continued to demand action against Cuban Prime Minister Fidel Castro.

"If it were left to the American people," said Sen. Barry Goldwater, R-Ariz., "we would be in Cuba tonight."

LEAVE IT TO JFK

Sen. Thomas H. Kuchel of California, the assistant Senate Republican leader, said the time has come for an economic blockade of Cuba.

Sen. Frank Carlson, R-Kan., said: "Certainly as a great, powerful nation, we do not need to tolerate the insults and provocations that are presented to us by Castro."

Sen. Mike Mansfield of Montana, the Democratic leader, appealed to his colleagues to leave the question of U.S.-Cuban relations in the hands of the President, "where it belongs at this time."

Mansfield argued that aircraft safety and Cuban relations are two different problems and should be dealt with separately. He persuaded Sen. Robert S. Kerr, D-Okla., to withdraw an amendment to the antihijack bill which would have put Congress on record as favoring an ultimatum to Cuba.

WANTS PRUDENCE

Kerr's amendment, which he reoffered as separate legislation, would urge Kennedy to give Castro 48 hours to return hijacked airplanes or else the United States "will take such action as may be necessary" to recover them.

Kennedy, at his news conference, noted that neither of the latest two hijackings was carried out by Cubans and said, "We should not get overexcited about matters when our information is so faulty, so incomplete."

An Editorial Analysis

The Constitution And Aid To Schools

By ANTHONY LEWIS
The New York Times Service

WASHINGTON — More and more the political struggle over President Kennedy's aid to education bill is turning on a subtle and difficult legal question: Does the Constitution allow the government to aid church schools?

From the start the President has said he opposed including parochial schools in his program because to do so would be unconstitutional. He told his news conference last week that "the Constitution clearly prohibits" such aid.

In fact, however, the Constitution is not so clear. Legal scholars dispute what is meant by the First Amendment's command that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." And the Supreme Court has by no means settled the question.

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THE KENNEDY program has three major features: grants to states for public elementary and secondary school construction or teachers' salaries, scholarships for students at public and private colleges and loans to those colleges for construction.

The hierarchy of the Roman Catholic Church has asked how it can be constitutional to aid private — including religious — colleges by scholarships and loans, and unconstitutional to do the same for church schools.

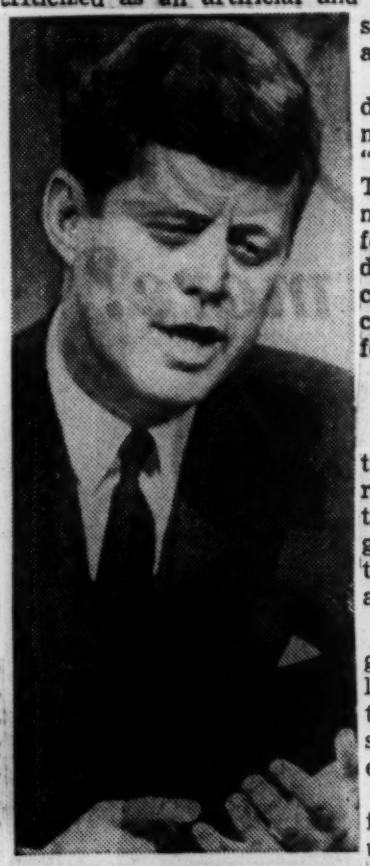
Last week the President dealt only with the scholarships. He said they were constitutional, even if used at a denominational institution, because they were "aid to the student," not to the college and "therefore not to a particular religious group."

To support this legal view Kennedy cited the Supreme Court's landmark 1947 decision in Everson V. Board of Education. The question there was the constitutionality of a New Jersey law providing buses for parochial as well as public schools.

Justice Hugo L. Black, for a 5-4 majority, upheld the New Jersey law on the theory described by President Kennedy. He said it was a measure for the safety and convenience of children, not a law aiding churches or church schools.

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BUT THE line that Justice Black drew has been much criticized as an artificial and unrealistic one. The critics note that many things can be characterized as "aid to the student" — textbooks for example, or tuition grants for private school pupils.



President Kennedy
... picks his defense

The loan question was trated in detail by the President at Wednesday's press conference

A questioner noted that the existing college housing program as well as the new proposal permitted loans to church colleges, and also that the National Defense Education Act of 1958 permitted loans to religious secondary schools for purchase of scientific equipment.

Why, then, the President was asked, would general purpose loans to church schools be any different? The Roman Catholic bishops have urged Congress to add such a loan program to the President's bill.

Kennedy made two rather sophisticated legal points in answer.

First, he said, there was a difference when the government provided funds for a "specific purpose" of its own. The loans for scientific equipment under the National Defense Education Act came under that category, he said, because they were "tied very closely to the national defense."

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"ACROSS-the-board loans" to parochial schools would raise a very different constitutional question, he said. He gave it as his judgment that they "would be unconstitutional."

Second, the President distinguished between higher and lower education. He noted that the latter is generally compulsory and is provided free by every state.

Behind this argument is the fact that lower and higher education have a different history in this country. Government has aided private colleges in many ways for years because they have provided most of our higher education. But public schools have had the main responsibility for educating the young, and so it would be more of a departure to channel government aid away from them.

Of course, the President is entitled to his own judgment on the constitutionality of legislation, as Lincoln said.

In this case it seems clear that the constitutional argument is the most effective one Kennedy can make. If he were to oppose aid to parochial schools as a matter of policy, or of politics, he might well set off a political storm that would kill the aid to education program for good.

Congress Asked To Duck Tangles For School Bill

WASHINGTON (AP) —President Kennedy and Secretary of Welfare Abraham A. Ribicoff, in separate forums, urged Congress Wednesday not to entangle the administration's $2.3 billion school aid program in arguments over integration and aid to parochial schools.

Ribicoff made his plea in telling a Senate education subcommittee Congress must act quickly if the nation is to provide classrooms and teachers needed to handle skyrocketing public school enrollments.

As the leadoff witness in four days of subcommittee hearings on the administration bill to provide assistance for public elementary and high schools, Ribicoff said the main purpose of the measure must not be sidetracked.

Kennedy, in making his plea at a news conference, said he considers loans, as well as grants, to parochial and other private schools unconstitutional.

ROOM FOR DEBATE

But he said "there is obviously room for debate about loans," since the question hasn't been tested in the courts. And if Congress wants to consider voting loans to private schools, Kennedy said, "then I am hopeful that it will be considered as a separate matter."

Meanwhile, Kennedy said, "I am hopeful that while consideration is being given, we will move ahead with the grant program" for the public schools.

The President had said at his news conference last week that bringing private schools into the grants program would be clearly unconstitutional. Since then, spokesmen for the Roman Catholic Church have opened a fight to tie long-term, low-interest loans for parochial schools into the program.

Kennedy declined to indicate whether he would veto any separate legislation to provide private loans for private schools, but added "it is very clear about what my view is of grants and loans across the board to nonpublic schools."

Sen. Joseph S. Clark, D-Pa., told reporters he plans to offer an amendment to Kennedy's school aid bill that would provide $350 million in loans to church schools over the three-year period of the program.

Declaring he did not agree that it would be unconstitutional, Clark said it was just as important to equalize educational opportunities for parochial school pupils as those in public schools.

Clark's amendment would bar the loans to private schools set up after the law took effect, or to districts in which the public schools were closed in a segregation dispute.

In urging that neither that question nor civil rights arguments slow down action on his aid bill, Kennedy said the newspapers are filled with ads for scientists, technicians and engineers. But yet, he said, there are people who can't find jobs because they didn't get an education.

"I think everyone should have a maximum chance to develop his talents," he said. "I do not believe that this can be done effectively without passage of this bill this year."

Kennedy and Ribicoff, expressing similar views on the need for haste, got solid support from Sen. J. William Fulbright, D-Ark., former president of the University of Arkansas. He appeared before the Senate subcommittee hearing.

TURNING POINT

"Enactment of a realistic federal aid program by the Congress this session will be a turning point for education in America," Fulbright said.

A Senate Education subcommittee headed by Sen. Wayne Morse, D-Ore., is conducting hearings, expected to run four days, on Kennedy's proposal to provide $2.3 billion for public elementary and high schools over a three-year period.

The grants could be used by the states for construction of classrooms, teachers' salaries or both, and for other special projects.

Ribicoff at the outset sought to allay fears that the legislation might lead to federal interference with the schools.

He said a federal role in education has been legitimate and accepted since 1790. These programs, he said, have "been administered without evidencing one shred of federal control."

'Riders' Bill OK'd By Senate Group

Newspaper Libel Measure Is Also Endorsed

MONTGOMERY, Ala., July 28.—(AP) — A House-passed measure to prohibit segregation-testing so-called "Freedom Rides" in Alabama gained unanimous approval of the Senate Judiciary Committee Friday.

Reported out of committee at the same time was a measure aimed at making it easier for out-of-state newspapers to be sued for libel in Alabama courts.

The anti-Freedom Rider Bill sets a maximum punishment of $300 fine and six months in jail for anyone who preannounces and then carries out an organized challenge of segregation barriers.

The other proposal, making it easier to sue out-of-state newspapers, grew out of a recent ruling by the United States 5th Circuit Court of Appeals in favor of the New York Times.

After reporter Harrison Salisbury wrote stories for the Times on racial conditions in and around Birmingham, a series of libel suits was filed in United States District Court in Birmingham.

Judge Hobart Grooms ruled that his court could try the suits because Salisbury came to Birmingham to get information for the stories. That, he held, constituted work performed in the state.

The Appellate Court overruled the district judge, however, interpreting Alabama laws to mean that the entire action must be committed in the state. The court ruled that their printing in New York actually completed publication of the Salisbury stories.

Under the bill endorsed Friday, the state law would be rewritten to permit suits where only part of the action occurs in Alabama.

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Kennedy's Backing Claimed

By ALBERT RILEY

WASHINGTON—Claiming Kennedy administration support, Sen. Joseph S. Clark, D-Pa., and Rep. Emanuel Celler, D-N.Y., introduced in Congress Monday civil rights legislation calling for complete desegregation of public schools.

As they introduced six bills in the House and Senate, the Democratic liberals said President Kennedy had asked them last September to prepare the legislation embodying civil rights commitments of the 1960 Democratic platform.

NAACP charges no changes have been made at Lockheed; U.S. Supreme Court again rebuffs New Orleans. Page 2.

One of the six bills would require every school board operating a racially segregated school to adopt a desegregation plan within six months after the bill is enacted.

MUST FILE PLANS

Each school board would have to file its desegregation plan with the secretary of Health, Education and Welfare.

The plan would have to state how the board intended to achieve desegregation with all deliberate speed in each of its schools, and include a schedule showing the timetable and manner of desegregation in each class.

First step compliance not later than the commencement of the 1963-64 school year would be required.

AUTHORIZES SUITS

Federal technical and financial assistance would be given under the bill to desegregating school districts, and court enforcement would be authorized in the case of school boards which violated the act.

Another one of the six civil rights bills would authorize the attorney general to initiate civil injunction suits in the federal courts to prevent the denial of death to federal aid to education this year.

Rep. E. L. (Tic) Forrester of Leesburg, commented that even if a new civil rights bill is not enacted this year, the issue will certainly be around by the time of the next presidential election.

Forrester said both President Kennedy and his brother, Atty. Gen. Kennedy are "absolutely wild on the race issue."

Rep. James C. Davis of Stone Mountain noted that Congress passed a civil rights bill in 1957 and in 1960 and indicated he believes it is likely to do the same thing again this session.

The civil rights advocates, Davis said, keep at it, "step-by-step, from one year and one Congress to the next, taking a bite at a time."

"I'm not surprised," Davis said of the new bills being introduced. "I hope the people who threw common sense to the winds last fall and worked so hard for Kennedy and Johnson instead of trying to get unpledged electors on the ticket, will get a you-know-what full."

Russell said he has had no opportunity to study in detail the Clark-Celler bills, but that from a press release about them the proposals "go far beyond anything we have had heretofore.

Certainly it goes far beyond the part three provision we found so obnoxious in years past," he added.

"It justifies the worst fears anybody has had about federal control of education," the senator declared. The school desegregation bill, Russell said, would make the board of education in every community of the land responsive to the secretary of Health, Education and Welfare.

SCHOOL BILL

INTEGRATION

Bills readied for Congress

WASHINGTON, May 8—(AP)—The Kennedy administration was to ask Congress today for legislation to hasten desegregation of all racially segregated public schools.

Every school board operating a racially segregated public school would be required to adopt a desegregation plan within six months and file it with the secretary of welfare.

The school desegregation proposal was among six civil rights bills ready for introduction by Sen. Joseph S. Clark, (D., Pa.), and Rep. Emanuel Celler, (D., N. Y.). The six-point program is geared to carrying out the civil rights pledges of the 1960 Democratic platform.

Last September, President Kennedy, then the Democratic presidential candidate, appointed Clark and Celler a committee of two to put the platform promises on civil rights into legislative form.

THE DESEGREGATION plans would have to provide for "first-step compliance" not later than the start of the 1963-4 school year. They also would have to spell out the time and manner in which desegregation was to be achieved in each class and school.

Federal technical and inancial assistance wold be given under the bill to desegregating school districts. Provision also wold be made for court enforcement in case school boards violated the duties imposed on them by the legislation.

Another of the Clark-Celler bills would make the Civil Rights Commission a permanent federal agency with strengthened fact-finding powers.. The commission is due to expire Sept. 9.

OTHER BILLS would:

1. Empower the attorney general to bring civil injunctions suits in the federal courts to prevent the denial of any civil right on grounds of race, color or creed. The attorney general now has authority to file such suits only to prevent denial of voting rights.

2. Provide administrative and judicial remedies for persons subjected to discrimination by business firms or labor unions in hiring, firing or promotion.

3. Eliminate the poll tax as a requirement for voting in federal elections.

4. Eliminate literacy tests as a requirement for voting.

When Kennedy appointed Clark and Celler, he said the purpose was to have comprehensive legislation ready for introduction as soon as Congress convened in January. He pledged to seek its enactment early in the session.

SINCE TAKING office, however, Kennedy has not called on Congress for civil rights measures —on which Southern and Northern Democrats are sharply spit—but has given priority to legislation in other fields.

Clark and Celler said:

"We will do our utmost to push for prompt hearings and favorable reports to both houses on the bills."

They said Kennedy already has taken, by executive order, "a number of far-reaching steps to promote civil rights, particularly in the field of equal job opportunity in government employment and in government contract work."

Except for a move to extend the life of the Civil Rights Commission, the general expectation in Congress is that any real scrap over civil rights legislation will be deferred until next year.

Sen. Mike Mansfield of Montana, the Senate Democratic leader, served notice over the weekend, however, that he will attempt before Congress adjourns to bring about a change in rules to make it easier to halt filibusters.

Stringent Mixing Bill Is Introduced

Jackson Daily News P. 1

Jackson Miss.

Mon. 5-8-61

Would Force Every Southern School To Start Mixing By '63

By FRANK VAN DER LINDEN
Daily News Washington Correspondent

WASHINGTON — The Kennedy administration's long-awaited civil rights bills were put in the congressional hopper today and one of them would make every Southern school district start desegregating by September, 1963.

Within six months after enactment of the bill, each school board would have to adopt a desegregation plan and send to Washington a time-table for mixing white and Negro students in each class and school.

Co-operating school districts would get federal funds, but others would be subject to "court enforcement".

Also, the measure authorizes Attorney General Robert F. Kennedy to begin civil injunction suits in the federal courts "to prevent the denial of any civil rights on the grounds of race, creed or color."

These are the other four bills, carrying out the Democrats' 1960 platform pledges on civil rights:

1. A constitutional amendment to bar poll taxes for voting.

2. A constitutionall amendment to eliminate literacy tests for voting.

3. A Fair Employment Practice bill providing "administrative and court remedies" to assure jobs for members of minority groups.

4. A bill making the Civil Rights Commission — which expires September 9 — a permanent "national clearing house" with strengthened fast - finding powers.

It goes without saying that Southern Senators, led by Mississippi's James O. Eastland, the Judiciary Commiittee chairman, will stall these bills as long as possible, by filibuster if necessary.

Sen. Joseph Clark (D-Pa.) and Rep. Emanuel Celler (D-NY) introduced the six-point package. President Kennedy—then a presidential candidate—selected them for this job last September. He promised then that he would fight for enactment of the measure early this year.

GOT BILLS THROUGH

Kennedy changed his time-table, and had the bill delayed until he could get enough Southern votes to pass several domestic bills. Among those recently enacted were those raising the minimum wage to $1.25 an hour by 1963; providing millions for depressed areas; and authorizing 73 more federal judges, nearly all of whom will be deserving Kennedy Democrats.

Clark and Celler hinted they did not expect their civil rights package to pass until 1962. "Regardless of present legislative priorities," they said, "the time will come in the not too distant future when the Congress will enact these civil rights measures. In the meantime, we will do our utmost to push for prompt hearings and favorable reports to both houses."

Sen. Strom Thurmond (D-SC) said he was not "surprised" that the civil rights package was finally offered now, since "some of the pay-off bills have been adopted."

'IT STINKS'

"Attempts will be made to shove it down our throats," he said. "But whether it is sweetened with patronage, favors or government contracts, it still stinks."

Thurmond, who refused to support Kennedy in the presidential race, said the civil rights bills confirm his own forebodings about the Democratic platform, which the senator called a blueprint for "socialism."

Thurmond, who set a filibustering record by speaking for more than 24 hours against the 1957 civil rights act, is prepared to resist the new one with equal determination.

Anderson Considers Adding Health Care Plan To SS Bill

Jackson Daily News

WASHINGTON (AP)—Sen. Clinton P. Anderson, D-N.M., said Saturday he may offer his health care for the aged plan as an amendment to the House-passed Social Security bill.

Anderson, a member of the Senate Finance Committee which will consider the Social Security bill, told a reporter this course is under active consideration but that no final decision has been reached.

Jun. 4-23 Col

Sen. Harry F. Byrd, D-Va., finance chairman, has said his group probably will take up the House Social Security bill in about 10 days. Byrd, however, strongly opposes any program of health benefits under the Social Security system.

Jackson Miss

President Kennedy made health care tied to Social Security a major issue in his campaign last fall, and has urged Congress to enact such a program this year. At his news conference Friday, Kennedy said he still is hopeful of a vote in the 1961 session.

Kennedy pointed out that it would be possible for any senator to bring it up by offering an amendment.

In the House, the Social Security bill was considered Thursday under a procedure barring amendments. As it passed the House, the bill contained a variety of benefits including one to allow men to retire at 62.

If Anderson does raise the health care issue in the Finance Committee or on the Senate floor, it is expected to bring on a bitter fight.

The American Medical Association and the several business groups strongly oppose the Social Security approach. It is supported by the AFL-CIO and some welfare organizations.

Anderson introduced in February the administration's health care measure. It now is in the hands of the Finance Committee but there has been no action in the face of Byrd's opposition.

The proposal would provide up to 90 days of hospital care and up to 180 days of nursing home care for each illness. It would pay for up to 240 home health care visits in a year, and furnish outpatient diagnostic services. It does not provide for doctors' fees.

Persons over 65 and retired under Social Security or the Railroad Retirement Act would be the beneficiaries.

The program would be financed by an increase in the Social Security tax of ¼ of 1 per cent each on the employer and employee, and ⅜ of 1 per cent on self-employed persons.

An aide to Sen. Jacob K. Javits, R-N.Y., said the New Yorker also is strongly considering offering a health care plan as an amendment to the House Social Security bill.

Javits and several of his GOP colleagues have reintroduced a bill they sponsored last year to set up a program of about $450 million in annual federal grants to help old persons pay for a variety of types of health plans.

After defeating the Social Security plan last year, Congress passed a bill providing for federal grants to states to assist in medical care for the indigent aged. Backers of the administration bill say this law is inadequate and object strongly also to the means test required for eligibility.

New Voting Bill To Be Offered

SCOTTSBORO (AP) — Rep. Bernard Cabiness of Jackson County said Saturday he plans to introduce a bill in the legislature which would allow 18-year-olds to vote.

"I feel that these younger people are ready to assume their full responsibilities," Cabiness said in a statement.

"Our students in high schools and colleges are required to study current events along with their school work and in many cases are as well informed as those much older.

"By allowing our young people to vote, we will help clean up elections and politics in Alabama."

Controversial amendment—

Patterson still holds voter qualification bill

The Birmingham News

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., Sept 23—With time fast running out on unsigned controversial legislation passed during the recent special session, Gov. Patterson apparently still has under consideration House Bill 149 for qualifying voters.

That is the enabling act for a controversial amendment to the Constitution. Drastic changes in long established registration methods are made and a central board of examiners is set up to grade examination papers of applicants for voter registration.

Gov. Patterson has until midnight Monday to sign the enabling act. If he does not sign it by then the bill is dead. But the governor has no control whatever over the amendment.



SPARROW

Even if the governor does pocket veto House Bill 149, the enabling act, the amendment will be on the ballot in the May 1, 1962 election.

If the voters ratify the amendment and the enabling act is dead, the situation would be confusing, to say the least.

ON THE OTHER hand, if the governor signs the enabling act and the voters ratify the amendment, Alabama would have an entirely new registration system.

It would be a system whereby there would be so many different questionnaires it would be well nigh impossible for anyone to memorize the questions and answers.

That has been a major defect in the present system.

Alabama has had only one questionnaire since 1951. Groups reportedly have specialized in conducting memorizing sessions for prospective Negro registrants.

Under the proposed system, an applicant for registration would have to answer a questionnaire calculated to demonstrate certain educational qualifications and an understanding of the privileges and duties of a voter. Examinations would be conducted by local boards.

Papers would be sealed in an envelope, without any identification whatever except a number. The envelope would be returned to the proposed State Board of Examiners. The board, in turn, would grade the papers and determine whether the applicant deserves to be registered as a voter. This would be done without the examiners knowing the name, sex or race of the applicant.

THAT WOULD prevent local boards of registrars from being hounded by civil rights sleuths. It would appear, too, that it would be an entirely fair method for determining a would-be registrant's qualifications.

But, as was pointed out repeatedly when the bill was pending before the Senate and House during the recent special session, it has one major defect.

Alabama would have a new but highaly centralized system of registration of voters. The whole system could be slapped down by a single federal court decree.

Such constitutional experts as Joseph F. Johnston, Birmingham attorney, and others adhere to the idea of decentralization, instead of centralization, as an answer to the problems of federal court rulings on Alabama laws and customs.

They contend that if there is no centralization of the school systems, a court order directing the integration of a school or all schools of one system would not necessarily apply to other systems.

BOTH HOUSES heard the two arguments and came up with the necessary two-thirds majority required to pass a bill not qualified under the special session call.

That's where matters stand right now.

Some legislators who supported both proposals contend that Gov. Patterson should at least give the new system a chance by signing the enabling act.

It provides, among other things, that no person shall be registered as a voter after Jan. 1, 1962, until he has satisfactorily passed a written examination "which demonstrates his ability to read and write in English any articles of the Constitution of the United States, or any section of the Constitution or statutes of Alabama, and his knowledge of the duties and obligations of citizenship under the statutes of the state of Alabama."

Continuing, the bill specifies in considerable detail the steps to be taken to assure a fair and unbiased examination and grading of an applicatron for registration

The State Board of Examiners for Voter Registration would consist of three members appointed by the Legislative Council. No two members could be residents of the same congressional district.

Jerseyan Will Be Advisor To Oil Workers In Africa

Journal and Guide 9-11
Sat. 4-22-61 Norfolk, Va.

By SAMUEL A. HAYNES

NEWARK, N. J. — One of New Jersey's top colored labor leaders, Nathaniel Johnson of 70 Pleasant avenue, Montclair, has been appointed as a labor adviser in Africa for the International Federation of Petroleum Workers for a term of one year.

In making the announcement, Joel R. Jacobson, president of the New Jersey State CIO Council, said Mr. Johnson will leave here May 1 for Lagos, Nigeria, where he will make his headquarters.

HE HAS served as president of local 13-92 of the Oil, Chemical and Atomic Workers (AFL-CIO), representing workers of Koppers Coke Company, since 1954.

Mr. Johnson has been a member of the union's international executive board since 1955, representing District 13.

He is also secretary - treasurer of Kopper's Coke Company - wide Council of the OCAW; third vice president of the Essex - West Hudson CIO Council, and sergeant-at-arms and former recording secretary of OCAW District Council No. 13.

THE INTERNATIONAL petroleum union group with **which Mr. Johnson will be af-**filiated in Africa is an affiliate of the International Confederation of Free Trade Unions.

Mr. Johnson was born and educated in Jersey City, where his mother, Mrs. Milda Johnson, resides.

He will be accompanied on his assignment by his wife, Mrs. Margaret Johnson, a member of the office staff of the New Jersey State CIO Council for the past 10 years.



MR. AND MRS. NATHANIEL JOHNSON
Off For Nigeria On May 1

"History books which contain no lies are extremely dull"

34c(1) 1961

SEPT

— AT HALF WAY MARK —

The Montgomery Advertiser

Patterson Took Governor Oath Two Years Ago

Montgomery, Ala., Thurs. 1-19-61 p. 1

By BOB INGRAM

On Jan. 19, 1959—exactly two years ago—John M. Patterson was inaugurated governor of Alabama. His administration has reached the half way mark.

At this milestone in the Patterson Administration it seems appropriate to pause to refresh the memories of the Alabama citizens concerning what Patterson said he would and would not do and what he did and did not do during the past 24 months.

IN HIS successful campaign for the governorship in 1958, Patterson made relatively few specific promises. Instead he talked a great deal about stopping up holes in the bucket, running the gangsters out of Alabama, and cleaning up state government.



GOV. JOHN PATTERSON
Now In Midstream

But he also made some specific campaign promises. He promised $75 a month to the old age pensioners; he vowed he would save 25 cents on every $1 spent by the state and thus make any new taxes unnecessary; he promised additional millions for education; he vowed he would secure passage of a small loan law; he said the legislature would be reapportioned, and finally, he promised to maintain segregation in Alabama's public schools.

It can be seen that on these six specific campaign promises, Patterson has already carried out two, and a third one has not been broken. A new and tough small loan law is on the books; education has a bigger budget than ever before, and there is no race-mixing in Alabama's public schools.

ALABAMA

Patterson hasn't done so well on the other three promises. Since taking office, Patterson has boosted the average old age monthly payment from $43.75 to $52.81. To reach $75, the pace will have to be increased substantially.

The Alabama Legislature has not yet been reapportioned, nor has the administration made any major effort in that direction. A big push is certain to come in May.

The promise to save 25 cents on every $1 spent by the state was not a campaign plank but campaign bunk. The state spends $360 milllon a year, and to carry out this promise Patterson would have been required to effect a savings of $90 million a year. Savings have been made, but even with them there have been substantial tax increases imposed, adding millions to the tax load of the Alabama people.

An accurate accounting of the new taxes cannot be made but it is known that during 1959-60 the taxes increased produced an additional $15 million in spite of an economic recession. Taxes boosted included the sales, use, tobacco and liquor levies.

The first two years of the Patterson Administration have been marked with a number of outstanding achievements coupled with a number of incidents which Patterson would most probably like to forget.

* * *

Hitting them lightly, here are a few of the major achievements:

1. The passage of the Gilchrist Small Loan Law in the face of bitter opposition from the powerful small loan lobby.

2. The record school budget coupled with a $100 million bond issue for school construction.

3. The improved rating secured by Patterson for Alabama's bonds. The rating was increased from "A" to "AA," which will result in the savings of millions of dollars in interest in the years to come.

4. The Patterson cabinet is considered to be the best collection of department heads assembled by any governor in recent years.

5. The dignity which Patterson has returned to the office of governor; an element totally lacking in the previous administration.

6. The overall good state government operation provided by the Patterson Administration.

* * *

Looking to the liability side of the ledger, here are a few things which stand out:

1. Patterson's frequently brutal displays of pressure politics. Examples: The handpicking of the chairman of the State Democratic Executive Committee and the chairman of Alabama's Democratic Convention delegation; the arm-twisting politics he employed on those who refused to ride the Kennedy wagon in 1960, such as the "independent" electors and Winton Blount. In his politics, Patterson more often than not was guilty of unnecessary roughness.

2. The continuation of the liquor agent system in Alabama, despite hints — if not promises — that the system would be abolished.

3. The manner in which large amounts of surplus state property have been sold—either without any bids at all, or more recently, in such large quantities that few people can bid on the items.

4. Patterson's apparently insatiable desire for photographic publicity. Not satisfied with a $10,000-a-year press secretary, Patterson employed a $7,200-a-year radio-TV secretary and has on near constant call a $6,000-a-year photographer.

5. Patterson's Folsom-like attacks on the daily press which have most usually come as counterattacks to press criticism of his administration.

Taking all things into consideration, John Patterson has given Alabama a good state administration. It suffers most, not in comparison with previous administrations, but in comparison with what it might have been.

GOVERNOR PATTERSON

Patterson Concerned With Racial Integration And Unemployment In Alabama

The Talladega Daily Home Talladega, Ala. Sun.-1-7-61

MONTGOMERY (AP) — Gov. John Patterson plans to go to Washington Wednesday or Thursday to testify in support of a relief bill for distressed areas.

The plans were announced at a news conference Monday in which Patterson renewed a pledge of unending opposition to racial integration, and expressed concern about unemployment in Alabama. He said he hopes the Kennedy administration will act promptly to provide relief for the unemployed.

The governor also said he would favor closing the University of Alabama to prevent integration, but declined to say what he would do if federal courts ordered it re-opened.

However, he said he would use his police power to suspend classes if an integration order led to violence. And, he added, "It most assuredly would."

Noting that he would have only one vote as a member of the University board of Trustees, he said he would use the inherent power of his office if necessary to preserve order.

Patterson renewed earlier statements that if he and his office "have the power to maintain segregation, we will do it." He praised the efforts of Governors Orval Faubus of Arkansas and Jimmie Davis of Louisiana to combat integration, but declined to comment on the past week's developments at the University of Georgia.

The time has come in Alabama, Patterson said, when "the people have got to decide if they want public schools more than the right to govern themselves and run their own affairs." He said the South and the rest of the nation are living under "judicial tyranny" and said that laws brought about by integrationists "are going to live to haunt them . . . laws that will be used against them some day."

In regard to the recent resignation of Macon County's Board of Registrars, Patterson again blamed federal intervention.

He said it is increasing difficult to find people willing to serve as registrars. The board members were defendants, along with the state, in a federal suit aimed at gaining access for federal agents to the county's registration records.

As to obtaining replacements, the governor said: "I feel like a fool asking a man to accept the office, and if he does accept I feel like he is a fool."

Patterson Mulls Steps To, Unlock State Funds

The Montgomery Advertiser

BY JOSEPH N. ZELLNER
AP Staff Writer

Both citizens and legislators waited today while Gov. John Patterson mulled over strategy to "see that funds are provided and the state continues to operate."

Patterson faces a financial dilemna brought on by the state Senate's failure to pass a general propriation bill providing operating funds for the state government for the next two fiscal years, beginning Oct. 1.



ZELLNER

But the governor has promised to find some way to "see that funds are provided that the state continues to operate."

He is expected first to ask the state Supreme Court whether the current appropriation can carry over or if the judicial and executive branches can oversee the state's financial affairs.

As a last resort, the governor can call the legislature back in special session to pass an appropriation measure before the fiscal year ends on Sept. 30.

The end of this session marked the first time the legislature has adjourned without appropriating money for non-school government functions. The state constitution forbids the spending of public funds without a legislative appropriation.

The non-controversial appropriation measure was caught in a squeeze-play between supporters and opponents of the congressional redistricting bill to carve up Jefferson County.

Stubborn supporters of the bill to divide Populous Jefferson County among the surrounding 4th, 5th, 6th and 7th districts refused to let the money measure come to a vote without a vote on the redistricting measure first, and thus sounded the death toll for both measures.

The aedistricting measure had been the object of a 96-hour filibuster led by Sen. Larry Dumas of Jefferson County.

Despite the failure to pass the general appropriation bill, money for the state's schools was assured of funds as a separate appropriation bill providing $137.9 million for next year and $148 million for the following year was passed on the last day.

The end of the 1961 session brought victory to the filibustering minority fighting against the chop-up Jefferson measure. Patterson has said he will not call a special session for redistricting.

This means all of Alabama's congressmen will be elected at large in 1962. Alabama is losing a congressman as a result of the 1960 census.

However, a veteran party leader who asked that his name be withheld said that he will suggest that candidates for Congress in the Democratic primary next May be required to run for specific seats.

He said under his plan, "The election woull be more orderly and the more popular congressmen likely wouldn't face as much opposition as others."

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ALABAMA

SEPTEMBER
MR. LAWRENCE A. POTTS- APPOINTED
CONSULTANT ON EMPLOYMENT

Dean At Tuskegee To Police Agriculture Hiring Policies

Montgomery Advertiser Pg. 1
Thurs. 9-28-61

WASHINGTON, (AP) — Secretary of Agriculture Orville L. Freeman Wednesday appointed Lawrence A. Potts, dean of the School of Agriculture, Tuskegee Institute, Tuskegee, Ala., as a special consultant on employment.

Montgomery, Ala.

Potts, a Negro, will advise Freeman on methods of more effective implementing the department's policy of equal employment opportunities, the secretary said.

This will include the developments of a more intensive recruitment program among Negro students and graduates of the land grant colleges.

Freeman said Potts will be visiting in these colleges from time to time to help them keep their curricula in line with personnel demands of the department.

In addition, Potts will assist in development of procedures by which the department may contribute more to the economic advancement of the nation's 285,000 Negro farmers.

Potts will receive $52.88 a day for each day he serves. The new consultant is a native of Williston, Fla.

The appointment came a few weeks after Freeman was asked at a news conference by a reporter for Negro publications why his department was the only one in the federal government failing to carry out a Kennedy administration policy of non-discrimination in hiring workers.

"That's not true," Freeman said. "We are hiring Negroes and are implemeting the policy of non-discrimination."

Tuskegee Dean Appointed Agriculture Sec'y Consultant

Atlanta Daily World
Sat. 9-30-61

Secretary of Agriculture Orville L. Freeman announced Thursday appointment of Lawrence A. Potts, dean of the school of agriculture at Tuskegee Institute, Tuskegee, Ala., as a special consultant on his staff.

Dean Potts, the Secretary said, will advise him on methods of more effectively implementing the Department's policy of equal employment opportunities. This will include, the Secretary pointed out, the development of a more intensive recruitment program among students and graduates of the land - grant colleges.

Atlanta Ga.

Continuing, Secretary Freeman said Dean Potts will be visiting these colleges from time to time to help them keep their curricula in line with the personnel demands of the Department.

In addition, Dean Potts will assist in the development of procedures by which the services of the Department may contribute more significantly to the economic advance of the nations' 285,000 colored farmers.

Mr. Potts has had long experience in this latter field. As dean at Tuskegee, he serves as chairman of the committees which sponsor the annual farmers' conference and the annual meeting of professional agricultural workers. Through these two conferences, the Negro agricultural leadership of the South is provided opportunities to study the farm problems of the regions and develop the kinds of solutions which meet the special needs of small farmers.

Before becoming dean of agriculture at Tuskegee in 1945, Mr. Potts had held a similar post at Prairie View, Texas, A. and M. College since 1929. Prior to that, he was State itinerant teacher - trainer for Texas, supervising 110 teachers of vocational agriculture.

Dean Potts was born in Williston ,Fla., and received his training at Florida A. and M. University, Hampton Institute, Hampton, Va., Iowa State University, and Cornell University, earning an M. S. degree in rural economics at the latter. He is married and has one daughter.

Ed Reid gets national post

WASHINGTON, Sept. 6 — (AP) — President Kennedy yesterday named three new members to the Water Pollution Control Advisory Board of the Public Health Service.


REID

They are Ed E. Reid of Montgomery, executive director of the Alabama League of Municipalities; John A. Biggs, director of the Washington State Department of Game, and Maurice K. Goddard, secretary of the Pennsylvania Department of Forests and Water.

All three are Democrats. They will serve three-year terms at $50 a day when actually employed.

34c(1) 1961

Snag Andrews May Quit

The Montgomery Advertiser

Veteran Senator Says He Has No Plans To Seek Office Again, Tells Reporter He Believes In Power Politics But Admits He's Made Mistakes

9-4-61 9-2-62

Montgomery, Ala.

By Karl Portera
Of The Advertiser Staff

IN ALL probability the end to one of the most illustrious careers ever to cross the Alabama political scene came with the close of the 1961 legislative session Friday.

State Senate majority-whip Lawrence King Andrews told me in the early hours of the final day of the session that he "had no further political ambitions."

And from this statement, it can be deduced that the senator representing Bullock and Macon counties —the 26th district—is bringing to a close 20 years of active politics.

But he did leave the door open in case he changed his mind in the meantime, by disclosing: "For the present, I have no further plans of ever seeking public office again."

Andrews has had a very distinguished political career, spanning two decades from 1942 to 1962. He also has the distinction of being the only man in the history of Alabama ever to run for the Senate unopposed three times. This is a concrete testimony to the value the people of his district have placed in his understanding of governmental affairs.

The Union Springs attorney is a crafty exponent of political infighting and has earned the title of "elder statesman" of the Senate. There are others who have been in that house longer, but few who can garner such great respect of friends and foes alike.

CHIEF STRATEGIST

In the past several years he has assumed the role as the chief strategist of the so-called majority bloc in the Senate. But it also must be noted that during this same period he has become less active on the floor during debate and concentrated more on conducting operations behind the scenes.

In a reminiscent mood during one of the most turbulent sessions in the history of the state legislature, Andrews was also in the mood to talk politics and the developments which take place in the legislative arena.

During the immediate post-midnight hours Friday morning, I sat with him as he sipped a cup of steaming hot coffee and listened intently as he told of the tactics used to pass and defeat laws.

He said that politics was a world of its own with people of its own and apart from all else. But he also stated that it was a prime example of "the first law of nature for self survival."

He had reference to the fact that only the strong can survive and in this can be found one of the first laws of politics.

"When a man has a pet project approved he should never gloat," he said. "And by the same rule, when he has one defeated, he should never cry."

Andrews himself has been the center of many a political battle and admitted that some of the legislation he has had approved has been "both good and bad."

He is a firm believer in "power politics." This is a method where a measure is decided on by a majority and with sheer might rammed through for approval. Andrews has been accused of using this method in the redistricting battle.

He offered a philosophy to the effect that "Politicians are very much like a bunch of wolves and when one member of the pack falters, he is immediately pounced upon by the rest."

THE REDISTRICTING FIGHT

As for the bitterly contested redistricting issue, Andrews said that it was purely a matter of self-survival and each legislator was dead set on keeping his congressional district intact. He went on to say that he didn't blame the opponents of redistricting because if he were in the same place he would use every means legally available to defeat it.

On this point, he has good reason to see the 3rd Congressional District preserved—his brother George Andrews represents that district in Congress.

Andrews was born in 1908 at Clayton in Barbour County. His father, the late George William Andrews, was also an attorney and practiced law in Barbour County before moving to Union Springs in 1909.

The younger Andrews was educated in the Bullock County public school system and earned his LL.B. degree from the University of Alabama Law School in 1935. One year later he married the former Marjorie Hawkins of Kansas and returned to Union Springs to practice law with his father.

Besides being an outstanding legislator, he has distinguished himself in the legal profession. He has twice been elected first vice president of the Alabama Bar Association and is presently a member of the State Bar Commission, the association governing body, and is a member of the Bar Examining Board.

Andrews has also served as deputy solicitor of Bullock County and as executive secretary of the county Democratic Executive Committee.

He is considered one of the best orators ever to appear in the legislature. Twice he has been voted the best speaker in the Senate and the best debater the same number of times.

Andrews demonstrated his ability to spellbind an audience Thursday night in climactic statement that captured the spirit of the moment and the imagination of his colleagues and the gallery.

Students of the legislature claim that in previous years when he was scheduled to speak he would fill the balcony and the House would adjourn to hear the senator from Bullock. This is a powerful testimonial to his ability as a speaker.

Andrews is capable of capturing the drama of the time and use of almost perfect eloquence in his orations.

SHOUTING SUBSIDES

One bystander commented, when Andrews rose to speak Thursday, that he is "truly a master at the art of effective delivery." The tumult and shouting in the Senate suddenly stopped when he was recognized for the purpose of making his statement.

It was immediately after he finished talking that we were able to get together and our conversation was constantly interrupted by fellow legislators congratulating him on what they called "an excellent talk." Without a doubt it must be considered one of the finest pieces of oratory this past session.

If Andrews does decide to call it quits after this term, he will be sorely missed in Alabama politics. He has earned the respect and admiration of both friends and foes alike.

It is not very often that a man comes along with all the assets, such as showmanship, parliamentary genius and plain common sense that go into making an outstanding politician.

Some men have one or the other, but seldom all three. Lawrence King (Snag) Andrews has all the qualities.

Engelhardt says he faces personal fine for two jobs

The Birmingham News p. 34
Thurs. 9-7-61

BY AL STANTON
News staff writer

There's a chance Highway Director Sam Engelhardt may have to pay a big fine out of his own pocket for holding the state job while also bossing the state Democratic Executive Committee.

At least, that's what he says the U. S. Bureau of Public Roads has told him.

Engelhardt still doesn't know how much the fine would be if the courts eventually uphold a civil service commission ruling holding he is violating the Hatch Act.

It might be $30,000, twice his annual salary as highway director.

"BUT I DON'T have $30,000," the road chief said at Montgomery today.

And, what if it's retroactive?

That would be $30,000 for each of the years he has held both jobs, and he winds up three years in January.

Engelhardt said this possibility was mentioned in a "brand-new" memo from the federal bureau.

Other possibilities are that the bureau can withhold the fine from federal road money going to the state or fine the state itself.

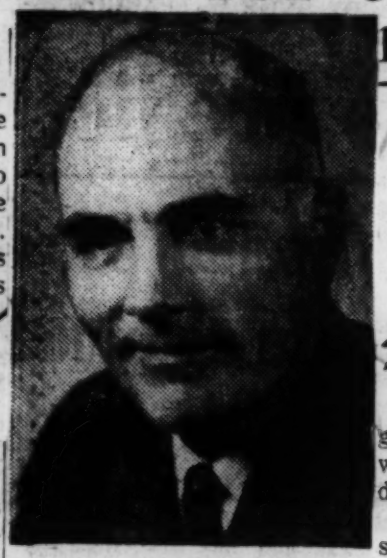
THE HIGHWAY director said he will quit one of the jobs if the fine is levied against himself personally.

He refused to say which job he would quit.

The civil service commission ruling still is in court. Engelhardt said he will appeal a U. S. District Court ruling at Montgomery upholding the commission's findings.

Meanwhile, he is still working 'full steam" at both jobs.

As chairman of the State Democratic Executive Committee, he will set a date for the body to meet in January to fix rules for the Spring Democratic Primary elections.



SAM ENGELHARDT
. . . "Can't pay fine"

PATTERSON DECLARES:

The Montgomery Advertiser
Pt. Two - 10-3-61

Engelhardt Job Hinges On Race

Montgomery, Ala.

BY BOB INGRAM

If Sam Engelhardt runs for governor of Alabama in 1962 he will have to resign as highway director.

So declared Gov. John Patterson Monday in an interview. The comment on Engelhardt's status came after the governor had reemphasized that neither he nor anyone in his administration would take any part in the '62 gubernatorial campaign.

"I intend to stay completely out of the 1962 governor's race, and I will expect the members of my administration to do the same thing," Patterson declared. "I instructed them a long time ago that this would be the policy of my administration."

When asked specifically if this policy applied to Engelhardt, who has been frequently mentioned as a possible candidate for governor, Patterson replied:

ANY CABINET MEMBER

"If Sam runs for governor he will have to resign as highway director."

The governor did not limit his "no politics" ultimatum merely to the governor's race but added that any cabinet member who decided to run for office next spring would have to resign.

Turning to another subject, Patterson said that in the next few weeks his office planned to "take a closer look" at some of the federal voter registration suits which have been filed in Alabama.

"I think maybe we ought to appeal some of those cases right on up to the U.S. Supreme Court," he said. "By doing that, any ruling they handed down against us would also apply to all the other states. If we have got to wear a tight shoe then I think everybody else should wear the same size."

Patterson specifically mentioned the suits filed by the Justice Department against the boards of registrars in Macon and Bullock counties.

Asked what role he would play in the campaign in behalf of the $10 million prison reconstruction amendment, Gov. Patterson said he did not plan any active campaigning.

VOTING FOR IT

"I'll be glad to tell anybody who asks me how I'm going to vote on that amendment," he added. "I am going to vote for it. I think it is a good thing and I believe it will pass."

The prison bond issue is Amendment No. 1 on the Dec. 5 special election ballot.

Patterson said he did not plan to take any immediate steps toward filling the vacancy in his cabinet — the $10,000-a-year directorship of the Department of Publicity and Information. The post was left vacant last weekend by the resignation of Roy Marcato.

"I think we will leave the place vacant for a while and let Joe Robertson (the governor's executive secretary) be in charge of it in addition to his regular duties," Patterson said.

Gov. Patterson said he did not put much stock in rumors that his former finance director, Charles M. Meriwether, might soon resign as a director of the Export-Import Bank in Washington and return to Alabama.

"I don't think there'a anything to that report," he replied.

Asked if Meriweather would rejoin the administration cabinet in the event he did quit his Washington post, Patterson replied with a smile:

"We don't have anything open for him now, unless he wants to be publicity director."

Macon League Names Groups

TUSKEGEE (Special) — Dr. Riley Lumpkin, president of the Macon County League, has appointed four additional committees to carry out projects and studies of the league.

The new committees, with chairmen, are: Legislative—Ed Reynolds; Statistical— Mrs. B. W. Booth; Library — Mrs. Floyd Forman; Housing — Allen Parker.

The next meeting of the league will be Jan. 30. President Lumpkin reported that many of the committees are at work and will report at the late January session.

Engelhardt hearing may be short one

BY AL STANTON
News staff writer

MONTGOMERY, Ala., Jan. 25— State Highway Director Sam Engelhardt today faced charges of violating the Hatch Act at a hearing which promised to last only a few hours.

ENGELHARDT'S ATTORNEY, Ralph Smith Jr., charged in a pre-hearing statement, "The Civil Service Commission is ignoring a federal court decision, if it proceeds against Engelhardt."

The Montgomery attorney said he was basing his case on a recent Illinois decision in which the federal courts absolved an appointed Conservation Department of an almost identical alleged offense.

In that case, the conservation official was chairman of a county political committee.

ENGELHARDT, FORMER state senator from Macon County, is accused of violating the Hatch Act by serving both as highway director and chairman of the state Democratic Executive Committee.

The highway director may testify at today's hearing, starting at 10 a.m. in the federal building here.

Smith said he plans to call only two witnesses — officials in the Highway Dept. to testify Engelhardt has no control over the spending of federal road funds in Alabama.

The attorney said the Hatch Act contemplated restrictions only on an agency financed in part or in whole by federal grants.

Engelhardt's Case Halted Until Feb. 2

By ARTHUR OSGOOD

Government attorneys Wednesday confined their Hatch Act case against Alabama Highway Director Sam Engelhardt to establishing that he has served as both highway director and chairman of the State Democratic Executive Committee.

The two-hour, 30-minute hearing was adjourned by James Nease, examiner for the Civil Service Commission, until Feb. 2 in Washington.

Engelhardt's attorney, Ralph Smith, set out to show that Engelhardt does not handle federal highway money, which is disbursed by the state on completion of projects.

Especially, he sought to show that the money received by Alabama is not in the forms of "loans" or "grants," the terms used in the Hatch Act, which Engelhardt is accused of violating.

The adjournment was at the request of Smith, who said he wished to get testimony from two employes of the U.S. Bureau of Public Roads.

The hearing was on charges that Engelhardt had violated the federal statute by taking part in partisan politics while handling funds from the federal government.

John Earman and Philip LaMacchia, commission attorneys, first placed Highway Dept. accountant Horace R. Foster on the stand to describe how federal funds are obtained.

Then Secretary of State Bettye Frink was called to testify on documents establishing Engelhardt's activity as chairman of the Democratic committee.

In cross-examining Miss Frink, Smith asked if there had been any claim on his bond as highway director "because of misuse of money."

BAREFIELD CALLED

LaMacchia broke in to say that "the government is not contending there was any misuse of funds."

Earman then called Frank Barefield, assistant state treasurer, and John Graves, state comptroller, to further establish the outlay of federal funds by the highway department. He also drew from Graves the statement that Engelhardt earns $15,000 a year as highway director.

Alabama stands to lose twice this amount in federal highway funds if the Civil Service Commission rules that he should be removed from his highway post and Gov. John Patterson declines to do so.

Next witness called by the government was Hobdy G. Rains, Gadsden attorney who serves as secretary of the State Democratic Executive Committee.

Earman got Rains to testify to Engelhardt's presiding over sessions of the committee while serving as highway director.

His questioning of Rains drew one of the few exchanges between opposing attorneys during the quietly conducted hearing.

'HOSTILE WITNESSES'

Earman observed that: "They are all hostile witnesses."

Clinton Moore, representing Engelhardt along with Smith, broke in to object that it was "completely unfounded" to call the witnesses hostile.

In questioning Rains and George Lewis Bailes Jr. of Birmingham, vice chairman of the party committee, Earman sought to show that Engelhardt had conducted party business from his office in the Highway Dept. building.

Both men conceded that they wrote to him at the office on Democratic party matters, but neither recalled having gone to his office for the purpose of conducting party business.

At the conclusion of the government's case, Smith moved that the government action against Engelhardt be thrown out, contending that the federal attorneys had failed to make out a case. Nease denied the motion.

Chief witness for Engelhardt was Mrs. Lennard Thomas, who served for 20 years as Democratic national committeewoman for Alabama up to 1960.

UNWRITTEN LAW

She testified that it was an "unwritten law" that the personal secretary of the State Democratic Executive Committee chairman serve as party treasurer.

Thus, she said, Engelhardt did not "appoint" Mrs. Nell Benton, his secretary, as party treasurer. There is no such office, she testified, and committee chairmen have let their secretaries handle funds as a matter of convenience.

Federal attorneys have maintained that the highway director appointed Mrs. Benton as part of his function as party chairman.

Prior to the hearing, Smith offered new answers to the charges against Engelhardt.

He said the Hatch Act distinguishes between state and federal department heads, which violates equal application of the law.

He also held that responsibility for handling federal road money belongs to the federal aid engineer in the highway department, not to Engelhardt.

He further maintained that the Hatch Act was not intended to apply to members of the governor's cabinet.

In seeking the continuance of the case to Feb. 2, Smith said he wished to question the federal road employes on "the entire operation of the federal-state road program."

He said his own lack of knowledge of the program made it inadvisable to get depositions from them, but instead to examine them directly.

Federal hearing— Engelhardt denies he controls funds

BY JAMES FREE
News Washington correspondent

WASHINGTON, D. C., Feb. 2— The State of Alabama argued here today that its highway director, Sam Engelhardt, does not at any time have control over the spending of federal money in the state's road-building program.

This was the basis of Defense Atty. Ralph Smith's case in behalf of Engelhardt, heard before a Civil Service Commission examiner.

In a hearing continued from one started in Montgomery Jan. 25, Engelhardt is charged with violation of the Hatch Act. This act bars a federal official from political activity or the use of federal funds, even indirectly, for political activity.

The charge came out of the fact that Engelhardt also is chairman of the Alabama State Democratic Executive Committee.

A. E. Johnson, spokesman for the American Assn. of State Highway officials, testified that the highway program is a unique federal grant-in-aid program. It is the only federal grant program, Johnson said, that runs on a strict reimbursement basis.

JOHNSON EXPLAINED that each step of a highway project must be approved by the Federal Bureau of Public Roads, and that the federal funds go to the state only in repayment of money already expended by the state.

Clifford Enfield, general counsel of the Bureau of Public Roads, also testified on the reimbursement factor in the federal-aid highway program.

Prominent Role Played By Sparkman

WASHINGTON (AP) — Sen. John Sparkman and his home state of Alabama had prominent roles in the inauguration of President John F. Kennedy Friday. Sparkman, chairman of the Joint Congressional Inaugural Committee, was in the forefront possibly more than any Alabamian has ever been on similar previous occasions.

The senator was at Kennedy's side for most of the day, with thousands here and millions more on television looking on.

He introduced several of the speakers to the crowds jamming Capitol Plaza for the inaugural ceremony. He occupied a front row seat, between former President Harry S. Truman and retiring Vice President Richard M. Nixon. He escorted Kennedy and outgoing President Dwight D. Eisenhower to the scene from the White House.

HOSTS AT LUNCHEON

He and Mrs. Sparkman, along with the other Congressional committee members, were hosts to the president and Vice President Lyndon B. Johnson and their parties at a luncheon in the old Supreme Court chamber in the Capitol after the inaugural speech.

Sparkman was a passenger in the "jump seat" of the car carrying Kennedy up Pennsylvania avenue in the inaugural parade. And he and Mrs. Sparkman sat in the presidential box in front of the White House as Kennedy reviewed the long procession.

Alabama was the 23rd state in the line of march, at the rear of the third of the parade's six divisions. Gov. John Patterson led the section, accompanied by Mrs.

Patterson and Sam Engelhardt, Alabama State Democratic chairman.

SHERIFF'S POSSE

Then came the 66-piece Carbon Hill High School band, paced by attractive majorettes, and the 50-man Mobile County sheriff's posse. The latter group, riding spirited horses and wearing white hats and matching jackets, was led by Sheriff Ray D. Bridges.

Alabama's 44-foot float — a reproduction of the State Capitol at Montgomery — followed, with Teresa Rinaldi, Miss Alabama, as a passenger.

A Marine corporal from Alabama, James R. Aaron of Birmingham, was one of the three color bearers marching ahead of President Kennedy's car.

Also representing Alabama was the 45-member band of the U.S. Women's Army Corps Center at Ft. McClellan, which marched near the front of the parade's second division.

Group Testifies For Engelhardt

Five Government Witnesses Say Road Chief Was Not Politically Active

By United Press International

MONTGOMERY, Ala., Jan. 25.—Five Government witnesses testified Wednesday Alabama Highway Director Sam Engelhardt has not actively participated in political campaigns since he assumed chairmanship of the state Democratic Executive Committee.

The testimony came in a brief, cut-and-dried public hearing into United States Civil Service Commission charges Englehardt is guilty of improper political activity.

Adjourned To Feb. 2

Hearing Examiner James Nease of Houston, Texas, adjourned the hearing until Feb. 2, when Engelhardt's attorneys, Ralph Smith and Clinton Moore of Montgomery, will collect testimony from witnesses in Washington.

Smith said it was necessary to hold the meeting in Washington, because, "unfortunately, I'm too ignorant of the Federal state road program" to take testimony by deposition.

Commission investigators John Earman and Phillip la Macchia put H. R. Foster, chief accountant for the Highway Department; Bettye Frink, secretary of state; Hobdy G. Raines of Gadsden, secretary of the state Democratic Executive Committee; George Lewis Bailes Jr. of Birmingham, committee vice chairman, and Mrs. Dennis Cole, Highway Department clerk-stenographer, on the stand to prove that Engelhardt is chairman of the state Democratic Executive Committee and director of the state Highway Department.

Wears Two Hats

The commission accuses Engelhardt of violating the Hatch Act by wearing two hats —overseeing the expenditure of Federal funds in the state's half-million dollar road building program while holding a politically sensitive job.

All five Government witnesses testified Engelhardt was director of the state roads program and duly elected chairman of the Democratic Executive Committee.

On close cross examination, however, all five testified Engelhardt's duties as chairman of the Democratic committee were purely "ministerial." They said Engelhardt had not actively participated in the political campaigns of any candidate since he assumed the position Jan. 19, 1959.

Engelhardt Doesn't Favor Road 'Bonus'

By Post-Herald Bureau

MONTGOMERY, Jan. 25—Highway Director Sam Englehardt does not favor accepting a Federal "bonus" of some $200,000 in road money for restricting billboards on interstate highways.

"It would be kind of hard to enforce," said Mr. Engelhardt. "How are you going to tell a man who owns property 660 feet from the right of way what kind of signs he can put up?"

The Federal government offers states a bonus of one-half of 1 per cent of Federal funds if the billboards are restricted.

Only a few states have decided to take the Federal government up on its offer, according to a Highway Dept. official.

Englehardt was asked if he favored accepting the bonus.

"Frankly, I don't," he said.

Engelhardt Appeal Denied; Civil Service Edict Upheld

By ARTHUR OSGOODE

Alabama Highway Director and Democratic party chieftain Sam Engelhardt has been turned down by a federal judge in his appeal of a U.S. Civil Service Commission order that held he was violating the Hatch Act.

The commission last May ruled that Engelhardt was violating provisions of the act by serving as both head of the Highway Dept. and as chairman of the state Democratic Executive Committee.

The Hatch Act forbids partisan political activity by government employes or officials who are active in programs that are financed at least in part by federal funds.

Engelhardt argued that the provisions of the act were not meant to apply to appointive offices such as the one he holds. He also argued that the commission misconstrued the term "loans and grants," and that his connection with the spending of federal funds was too minor to bring him under the provisions of the act.

U.S. District Judge Frank W. Johnson ruled that Engelhardt headed a department that received large sums of federal money for roads, and then observed that Engelhardt's political activity was undisputed.

Johnson said that "this court would be naive indeed," if it held that Engelhardt did not participate in political management and campaigns.

The judge further held that Engelhardt did not come under the exemptions in the act, which include the governor and lieutenant governor and elected officials.

Therefore, he ruled, Engelhardt clearly has violated the Hatch Act. He affirmed the judgment of the commission.

In doing so, he aimed a slap at another federal court decision on which Engelhardt's attorneys had relied in appealing the action of the Civil Service Commission.

CASE NOTED

In this case, the court decided that the head of a state conservation department did not come under the Hatch Act. Johnson called the decision "unwarranted and unrealistic."

He also noted that the official in question spent less than 1 per cent of his time on projects which were supported by federal funds. The decision called this activity "minimal."

Eearlier Johnson had noted that the Alabama Highway Dept. received more than $52 million in federal money for road building in the period from January, 1959, to June, 1960.

Citing another case, Johnson found that the action of the commission did not violate state sovereignty and that the government has a right to fix the terms under which federal funds are disbursed.

When the action was first brought against Engelhardt both he and Gov. John Patterson charged that it was politically motivated and that they were being harassed by the Eisenhower administration. However, the ruling against Engelhardt was made after the Kennedy administration took over.

Under the terms of the act, the federal government can penalize the state twice the amount of Engelhardt's salary, or $30,000, if he is not removed from office.

Engelhardt has served notice he intends to fight the case all the way to the U.S. Supreme Court, if necessary.

John Morrow Named UN Delegate

The Call
Kansas City, Mo.
3-18-61

WASHINGTON, D. C. —(NNPA) —President Kennedy Tuesday nominated John H. Morrow, for mer Ambassador to Guinea, to be an alternate representative of the United States at the 15th session of the United Nations General Assembly.

Mr. Morrow was recently replaced in his post at Conakry by William Attwood.

At the time of his ambassadorial appointment, Mr. Morrow was chairman of the Department o Modern Foreign Languages a North Carolina State college.

The President also sent to the Senate Tuesday the nomination o Clifton R. Wharton a Career Minis ter, to be Ambassador to Norway

Mr. Wharton, a native of Balti more, was appointed to the For eign Service from Boston 22 years ago. His home is now in Califor nia.

Negro Career Diplomat Named to Norway Post

The Evening Star

By the Associated Press

President Kennedy has chosen Clifton R. Wharton, a Negro career diplomat, to be Ambassador to Norway.

Mr. Wharton, 61, is now minister to Romania. He has been in the Foreign Service 34 years.

As Ambassador at Oslo, Mr. Wharton will hold the highest rank ever attained by a member of his race as a United States career diplomat.

Other Negroes have served as Ambassadors, but they held their posts as political appointees.

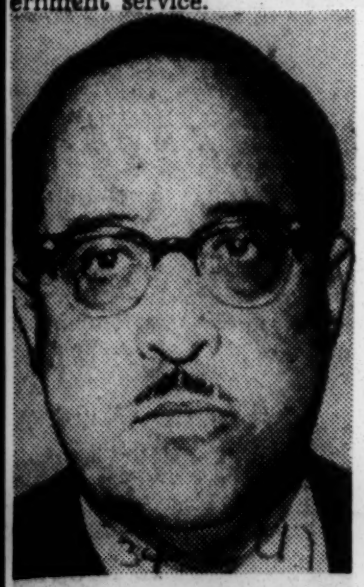
Mr. Wharton's road to an ambassadorship has been the hard way. His first State Department job in 1925 was as a law clerk at $1,860 a year.

Three years ago, President Eisenhower named him minister to Bucharest. Prior to that appointment, Mr. Wharton had been consul general at Marseilles, France.

In going up the ladder to his consul general's post, Mr. Wharton served at such points as Monrovia, Liberia; Las Palmas, Canary Islands; Tananarive, Madagascar; Ponto Delgada, Azores, and Lisbon, Portugal.

He was born in Baltimore on May 11, 1899.

He attended Boston University, received a law degree there in 1920 and practiced law in Boston before entering Government service.



CLIFTON R. WHARTON

A New Diplomatic Face

The Afro-American

Baltimore, Md.

Date 3-4-61

While Mr. Stevenson's evasiveness on colored members of his staff at the U.N. is to be deplored, President Kennedy's appointment of Clifton R. Wharton Sr., as ambassador to Norway is to be highly commended.

In fact, 'tis a consummation to be devoutly wished that Mr. Stevenson be infected just a teeny-weeny with Mr. Kennedy's determined drive to integrate the American colored man into all phases of this nation's way of life.

President Kennedy, in appointing this capable foreign service careerist as ambassador, did what no other President of America has ever done: He appointed a colored man to a top diplomatic post in a foreign white country.

The 62 - year - old Mr. Wharton's distinguished career goes back to 1925 when he joined the U.S. Department of State as a law clerk.

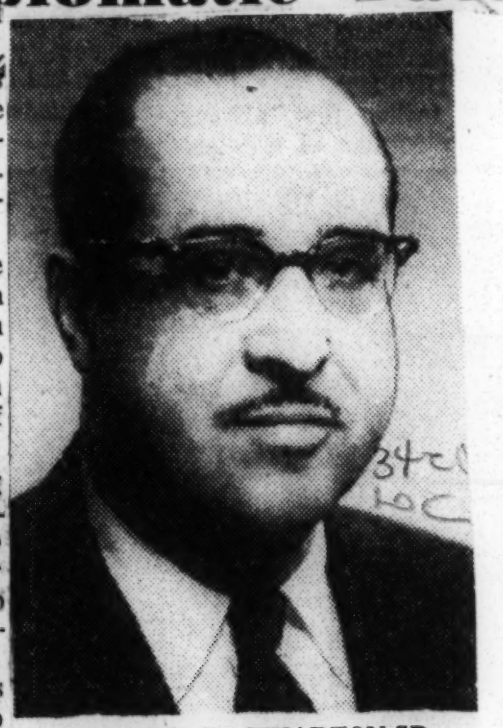
The State Department's blatant racist policies which it still pursues relentlessly kept Mr. Wharton in a series of Siberia-type posts. His progress was slow and it must have been extremely frustrating to watch men who joined years later rise rapidly to become his senior.

His appointment is a most effective answer to the bigots and self-styled defenders of the colored people of America like Max Lerner and company who worry about the alleged lack of colored talent for these positions.

All the officials have to do is to "drop their bucket where they are and they'll come up with some outstanding men.

President Kennedy dropped his bucket and Clifton R. Wharton Sr., is the result.

The AFRO is proud to congratulate an able public servant on his promotion and delighted to once again compliment President Kennedy for another fine appointment.



CLIFTON R. WHARTON SR.

At his present rate, Mr. Kennedy just could conceivably re - fashion America into a swinging, first- rate democracy.



PROMOTED — Mrs. Leontyne B. King, who recently set a precedent when she was named to the Los Angeles city Library Commission, last week, was elected vice president of that body by her fellow commission members. She was appointed by Mayor Samuel Yorty.

Colored Woman Municipal Judge

SACRAMENTO, Calif. — (UPI—Mrs. Vaino Spencer, 41, of Los Angeles became the first woman Negro Municipal Court judge in California history when Gov. Edmund G. Brown named her to the Los Angeles Municipal Court on Oct. 8.

34c(1) 1961 CALIFORNIA

CECIL F. POOLE, NEGRO LAWYER
UNITED STATES ATTORNEY FOR THE NORTHERN
DISTRICT OF CALIFORNIA

JFK TO CHOOSE NEGRO FOR POST

Poole Mentioned as Next N. California DA

WASHINGTON (AP) — President Kennedy announced Saturday he will appoint Cecil F. Poole, a Negro San Francisco lawyer, as United States Attorney for the Northern District of California.

If the Senate confirms him, Poole will be the first Negro to serve as a U. S. District Attorney in the continental United States. Justice Department records show that four Negroes have served as U. S. District Attorney in the Virgin Islands, but none on the mainland.

Poole campaigned for Kennedy in 1960 and was a member of the Northern California steering committees in each of the three previous Democratic campaigns for the presidency.

A resident of Sacramento, he has been serving since January 1959 as counsel to Gov. Edmund G. Brown and a member of the governor's secretariat.

A native of Birmingham, Ala., Poole was educated in the public schools of Pittsburgh, Pa., and earned law degrees at the University of Michigan and Harvard.

Although he entered the private practice of law in Pittsburgh, his career was interrupted by government service here and in the Army.

Poole headed the appeals unit of the Office of Price Administration in San Francisco after the war. In 1949 he became assistant district attorney for the city and county of San Francisco, serving under Brown, who was then district attorney there.

Poole is married to the former Charlotte Crump of St. Paul, Minn. They have two daughters.

His new position pays $18,000 nually.

JFK Names Negro DA

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His new position pays $18,000 annually.

JFK to Name First Negro As DA

WASHINGTON, April 15 (AP)—President Kennedy announced Saturday he will appoint Cecil F. Poole, a Negro San Francisco lawyer, as United States attorney for the Northern District of California.

If the Senate confirms him, Poole will be the first Negro to serve as a U.S. district attorney in the continental United States.

Poole, an active Democrat, would succeed Lawrence E. Dayto. Poole campaigned for Kenedy in 1960.

A resident of Sacramento, he has been serving since January, 1959, as legal counsel to Gov. Edmund G. Brown and as a member of the governor's secretariat.

A native of Birmingham, Ala., Poole was educated in the public schools of Pittsburgh, and earned law degrees at the University of Michigan and Harvard.

Cecil P. Poole to be first U. S. attorney

WASHINGTON (NNPA)—President John F. Kennedy Saturday announced his intention to appoint Cecil F. Poole of San Francisco United States attorney for the northern district of California.



CECIL F. POOLE

Mr. Poole will be the first colored person to serve as U.S. attorney in the Continental United States if confirmed. He will succeed Lawrence E. Dayton.

Mr. Poole conferred with U.S. Attorney General Robert F. Kennedy in Washington Friday. His nomination is expected to go to the Senate within a few days.

FOR THE PAST two years, Mr. Poole has been serving as executive clemency secretary to Governor Edmund G. Brown of California. His new post will pay $18,000 a year.

Gov. Brown appointed Poole assistant district attorney in April 1949, and when Brown was elected governor, Attorney General Tom Lynch named Poole chief prosecutor in San Francisco. He was the first colored to serve in this capacity.

A GRADUATE of the University of Michigan and the Michigan Law School, Poole also holds a master of law degree from Harvard University. He has practiced law privately in Pittsburgh, Pa. and San Francisco.

He also has served with the Federal Housing Authority, National Labor Relations Board and Selective Service Board. During World War II he served three and a half years as an Army legal officer at Tuskegee Air Base.

Poole and his wife, Charlotte, are parents of two daughters, Gayle, 13, and Patricia, 8.

JFK Names Negro DA

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His new position pays $18,000 annually.

Name Poole U.S. Atty.

WASHINGTON — The appointment of the nation's first Negro United States District Attorney was made Saturday.

President John F. Kennedy, who makes such appointments, appointed Cecil Poole of San Francisco U. S. Attorney for the northern district of California.

Poole, Gov. Edmund G. Brown's executive clemency secretary for the past two years, was offered the $18,000 a year post several weeks ago and decided to accept it.

He is a native of Pittsburgh, Pa

Expect Poole To Be First U.S. Attorney

WASHINGTON. — (ANP) —Announcement of the appointment of the nation's first Negro United States District Attorney was imminent late last week.

Sources close to Atty. Gen. Robert F. Kennedy, who makes such appointments said that Cecil Poole of San Francisco is to be named U. S. attorney for the northern district of California.

Poole reportedly has very strong political backing in his state and has served as an assistant U. S. attorney.

Poole, Gov. Edmund G. Brown's executive clemency secretary for the past two years, was offered the $18,000 a year post several weeks ago and decided to accept it.

Brown appointed Poole assistant district attorney in April 1949. When Brown was elected attorney general Tom Lynch made him chief prosecutor.

He was the first Negro prosecutor in San Francisco.

A graduate of University of Michigan and Michigan Law School, Poole holds a master of law degree from Harvard university. He has practiced law privately in Pittsburgh, Pa., and San Francisco.

He has also served with the Federal Housing Authority, National Labor Relations board and Selective Service board.

During World War II he served three and a half years as an Army legal officer at Tuskegee Air base.

Poole and his wife, Charlotte, are parents of two daughters, Gayle, 13, and Patricia, 8.



Cecil F. Poole

Negro Is Named U. S. Attorney In N. California

WASHINGTON, Apr. 15 (UPI).—President Kennedy announced today he has picked Cecil F. Poole, a Negro, to be United States Attorney for the Northern District of California. Mr. Poole is the first of his race named to such a job in the continental United States.

A San Franciscan, the forty-six-year-old Mr. Poole has served for the last two years on the staff of California Gov. Edmund G. Brown. He has been Gov. Brown's clemency secretary. His nomination must be approved by the Senate Judiciary Committee headed by Sen James O. Eastland, D., Miss.

Mr. Poole is the Administration's second appointment of a Negro to a position requiring Senate approval. The first was Robert C. Weaver, Housing and Home Finance Agency Administrator.

A native of Birmingham, Ala., Mr. Poole went to public schools in Pittsburgh. He was graduated from the University of Michigan Law School and also studied at Harvard Law School. After war-time service in the Army, from which he emerged as a lieutenant, Mr. Poole moved to San Francisco. He served as an Assistant District Attorney when Gov. Brown was District Attorney in San Francisco.

NEGRO IS CHOSEN AS U.S. ATTORNEY

Kennedy to Name Poole, Aide to Brown, for Northern California District

Special to The New York Times.

WASHINGTON, April 15 — President Kennedy has chosen Cecil E. Poole of San Francisco to be United States Attorney for the Northern District of California.

If confirmed by the Senate Mr. Poole will be the first Negro to hold such a job in continental United States. Four Negroes have been United States attorneys in the Virgin Islands but none on the mainland, according to Justice Department records.

The President announced his intention to appoint Mr. Poole shortly before leaving Washington to spend the week-end with his family at their leased estate near Middleburg, Va.

He took off from the White House lawn in a helicopter at 12:38 P. M. and arrived at the estate twenty-five minutes later.

Mrs. Kennedy and their 3-year-old daughter, Caroline, went to the estate, Glen Ora, yesterday. The President expects to return Monday morning.

Mr. Poole, 47 years old, has been active in California civic and political affairs since 1948, when he campaigned for the Truman-Barkley Democratic ticket.

Aide to Governor

Since January, 1959, he has been a member of Gov. Edmund G. Brown's staff. With the titles of Executive Clemency and extradition Secretary and Legal Counsel to the Governor.

Mr. Poole was a member of the Northern California Steering Committee for the Democratic Presidential campaigns of 1948, 1952 and 1956. In 1960 he campaigned actively for Mr Kennedy.

He was born in Birmingham Ala., but moved to Pittsburgh with his family four years later. He holds a bachelor of arts and law degrees from the University of Michigan and has a master of law degree from Harvard University.

He moved to San Francisco after service in World War II as an Army Lieutenant to take a legal job with the Office of Price Administration. Subsequently he served as assistant district attorney for the city and county of San Francisco and instructor at the Golden Gate College of Law.

Mr. Poole lives with his wife and two daughters, Gayle, 14, and Patricia, 9, in Sacramento. As United States Attorney his pay will be $18,000 a year. Lawrence E. Dayton now holds the post on an interim basis.

The Poole nomination will go before the Senate Judiciary Committee, of which James O. Eastland, Mississippi Democrat, is chairman. It is the second appointment of a Negro requiring Senate cofirmation. The first was Dr. Robert C. Weaver, whom the Senate approved as Housing and Home Finance Agency Administrator after some opposition.

In another announcement today, the President said he would name Philip Wilson Bonsal to be Ambassador to Morocco. Mr Bonsal, 57, was Ambassador to Cuba when the United States broke relations with the Castro regime late last year. In Morocco he will succeed Charles W. Yost, who has been named Deputy United States Representative to the United Nations Security Council.

34c(1) 1961 CANADA

SEPTEMBER
DR. WILSON A. HEADD
APPOINTED-PLANNING DIRECTOR FOR COMMUNITY
FUND AND WELFARE COUNCIL
(WINDSOR, ONTARIO)

Georgia Native In New Planning Job

Birmingham World
Sat. 9-30-61
p. 14

TUSKEGEE INSTITUTE, Ala. — Dr. Wilson A. Head, 47, a native of East Point, Ga. and Tuskegee Institute ('40) graduate, has been appointed planning director for the Community Fund and Welfare Council of Greater Windsor, Ontario, it was learned this week.

He is responsible for developing programs in welfare, health and recreation for the Canadian community.

A veteran of 20 years experience in his field, Dr. Head for the past two years was executive director of the Windsor Group Therapy Project. Prior to this, he was on the staff of the Juvenile Diagnostic Center in Columbus, Ohio for six years.

His academic background also includes the master's degree in social work from Atlanta University in 1942; and the Ph. D. degree from Ohio State Univershity in 1958.

34c(1) 1961

CONNECTICUT



MRS LAWRENCE B. SCANTLEBURY, who, Saturday, was appointed treasurer of the City of New Haven, Conn.



CITY TREASURER — Mrs. Ella B. Scantlebury ponders over the prospects in the coming election as she looks across the office in New Haven where she works as City Treasurer, a post in which she sets a precedent.

RUNNING FOR ELECTION

Grandmother Sets Precedent As Treasurer In New Haven

Pro American D 10 Sat 9-30-61 Baltimore Md.

NEW HAVEN, Conn. — A 35 - year record of service to her neighborhood, her church and her city will be climaxed on election day for Mrs. Ella B. Scantlebury.

On that day she is expected to be elected City Treasurer, a post she has held by appointment since July. She is the first of her race in this city's three-century history to hold a major city office.

Her election to a full term as treasurer is virtually assured. She is the running mate of four - term Mayor Richard C. Lee, the most popular chief executive in the city's history and a heavy favorite to win re-election.

Mayor Lee, a personal friend of many years' standing, appointed Mrs. Scantlebury to fill the vacancy caused by the death of City Treasurer Mary Grinold.

"I can think of no one in our city who so richly deserves this honor," the Mayor said in a message to Mrs. Scantlebury, "and I know of no one who would discharge his duties more conscientiously."

The City Treasurer's post is the firs public office to be held by Mrs. Scantlebury, although she has been active in the Democratic Party and in neighborhood and philanthropic undertakings for many years.

Her appointment by Mayor Lee and her nomination for a full term by last month's city Democratic convention are a source of great personal pride to Mrs. Scantlebury.

But more important to her is the fact that she can now play an active role in the administration of a Mayor she regards as the best in New Haven history. She believes Lee has done more for minority people than any other chief executive in the nation.

* * *

"ALMOST everybody in public office talks about ending discrimination and segregation," Mrs. Scantlebury pointed out. "But Dick Lee has done something about it ever since he was first elected Mayor."

The first persons other than whites to hold major city offices during the Lee administration have included a corporation counsel, assistant corporation counsel, assistant relocation director, human relations adviser, jury commissioner, Board of Education member and the chairman of the New Haven Board of Welfare.

The Democratic Party's slate of aldermen this year includes two minority members.

The roster of city employes appointed during the Lee Administration in this city of 152,000 includes 15 colored policemen and 47 teachers — a far greater number than ever before.

* * *

MAYOR LEE'S concern for the welfare of the people is not limited to appointments, Mrs. Scantlebury pointed out.

He has sparked one of the nation's farthest reaching programs of redevelopment, slum clearance, family relocation and public housing.

Mrs. Scantlebury herself has been a tireless worker for community improvement and better interracial relations for a good many years.

She was formerly a leader in the Dixwell neighborhood-improvement program, and she served for four years as secretary of the Girls Recreation Guild, an advisory group concerned with improved recreational opportunities for girls and young women.

* * *

A NATIVE of London, England, City Treasurer Scantlebury was a World War I bride of L. B. "Burt" Scantlebury, a sergeant in the British army.

The young couple came to this country in 1919. They lived in New York and Hartford, Conn., until the late Mr. Scantlebury accepted a position he was to hold for 32 years — steward of the Chi Psi fraternity house at Yale University.

Soon after her arrival in New Haven, Mrs. Scantlebury became active in Blessed Martin Church, where she now serves as chairman of the credit committee and as an active worker in various women's groups.

In 1935 she took a position with the Scroll and Key Society at Yale University. She is currently manager of the Scroll and Key building on the campus.

* *

MRS. SCANTLEBURY first became interested in politics nearly 30 years ago. She has been ringing doorbells, making phone calls, and carrying out a wide variety of duties for the Democratic Party ever since.

When the campaign season arrives, Mrs. Scantlebury is attending meetings, visiting prospective Democratic voters, or working at ward headquarters practically every night.

As chairlady of the 19th Ward, she is currently playing a major role in the district's aggressive drive to get out a big vote for Dick Lee.

The effectiveness of Mrs Scantlebury and her coworkers in the 19th Ward is attested by the fact that in the 1960 election, about 95 per cent of the ward's Democrats turned out to vote.

Her other party activities include active membership in the city wide Women's Democratic Club and the State Federation of Democratic Clubs.

* * *

DESPITE HER fervent interest in politics, Mrs. Scan-

tlebury admits her favorite occupation is lavishing attention on her two grandchildren, David Jr., 13, and Beryl, 17. Their parents are Mr. and Mrs. David Stanley, whose home is in Hamden, a New Haven suburb.

Mrs. Stanley is a research assistant in the Department of Pathology at Yale University.

Does this friendly, energetic grandmother have any special formula for political success?

Nothing more than "hard work, loyalty to your neighbors and to your party, and real friendliness to people—an interest that doesn't stop on election day."

And, she added: "A Mayor who really believes in fair play and opportunity, and doesn't just talk about them."

34c(1) 1961

D.C.

November DEC

ATLANTA BANKER L.D. MILTON
NAMED ONE OF FIVE NEW MEMBERS TO SERVE
ON ADVISORY BOARD OF COMMODITY CREDIT
CORPORATION

Banker L. D. Milton On CCC Board

ATLANTA NEGRO BANKER NAMED CCC ADVISOR

Atlanta, Ga., Dec. 11.—President Kennedy has named Atlanta Negro banker L. D. Milton as one of the five new members to serve on the Advisory Board of the Commodity Credit Corporation.

Board members when actually working on government business are paid at the rate of $50 per day.

The Commodity Credit Corporation finances government farm price support program.

Milton is president of the Citizens Trust Company, one of seven banks in the Atlanta area that are members of the Federal Reserve System.

The President's announcement was made at his Hyannis Port, Mass., home last week.



L D MILTON

President John F. Kennedy Friday named Atlanta banker L. D. Milton as one of five new members to serve on the advisory board of Commodity Credit Corporation. The anouncement was made at the President's Hyannis Port, Mass. home.

When actually working on government business, board members receive $50 a day. The CCC finances the government's farm price support program.

Mr. Milton is president of the Citizens Trust Company, one of seven banks in the Atlanta area that are members of the Federal Reserve System.

34c(1) 1961

D.C. (THE STATE DEPARTMENT)

OCTOBER

Set To Tour Africa For State Department



As eve for their departure to Africa on an extended good-will tour under U. S. State Department auspices drew nigh, Misses Mary Grandison, left, and Helen Grandison, right, the famed Grandison Singers, paused last week at their Norfolk home to seek blessings on their mission from their mother, Mrs. Frances Grandison, seated.

The Grandisons, who hail from Norfolk, are the first group to introduce gospel singing in night clubs and have just completed a tour of the nation. The State Department tour of Africa will be followed by appearances throughout Europe and Asia. (Guide Staff Photo)

34c(1) 1961

D.C.

GEORGE L. HOLLAND
APPOINTED-MANAGER OF THE VETERANS
BENEFIT OFFICE

Negro Heads Up VA Office Here

Associated Press

George L. Holland, Assistant Manager for Veterans Benefits at the Veterans Administration Center in St. Paul, has been appointed manager of the Veterans Benefits office here.

The VA said Holland, a career civil servant, is the first Negro to become manager of a major veterans benefits office. A native of San Antonio, Holland joined the VA shortly after his discharge from active service as an officer in World War II.

34c(1) 1961 D.C.

OCTOBER
FIVE NEGROES ON STAFF OF AGRICULTURE DEPARTMENT (CONSULTANTS)

Five Negroes On Staff Of Agriculture Department

Birmingham World 10-25-61
Birmingham Ala

Five outstanding Negro leaders have been welcomed to the staff of the U. S. Department of Agriculture as consultants by Secretary of Agriculture Orville L. Freeman, last week.

The five are: Joseph Bradford, assistant editor of the Alabama Agricultural Extension Service, who is a candidate for the Ph.D. degree in agricultural communications at the University of Wisconsin; Dr. Lawrence A. Davis, president of Arkansas A M and N. College, Pine Bluff; Rev. Benjamin H. Hill, pastor of a Tulsa, Okla., A. M. E. Church; Dr. Solomon Hill, president of Shorter College, North Little Rock, Ark; and Dr. Walter Miller, pastor of Jubilee C. M. E. Church, Chicago.

Bishop O. L. Sherman of the AME Church also will serve as a consultant.

Those present have been assigned to the Agricultural Stabilization and Conservation Service where they will serve as part-time assistants advising on the providing of information on acreage allotments, price supports, and soil and water conservation programs, as well as other activities to rural and urban people.

WASHINGTON NAMED COMMITTEE CHAIRMAN

Lawrence J. Washington, an agriculturist in the Farmers Home Administration of the U. S. Department of Agriculture, has been named chairman of the Intergroup Relations Committee of the Rural Areas Development Board.

While continuing his duties with Farmers Home, Mr. Washington will work with his committee of eight, representing eight USDA agencies engaged in Rural Development work. Altogether, there are nine RAD committees.

Mr. Washington is a graduate of Southern University and has done further work at Tuskegee. He has been with the Department of Agriculture, including Agricultural Extension work, since 1933.

NUMBER OF COLORED FARMERS IN SOUTH DOWN

Agricultural census data indicate that the number of colored farmers in the South declined by nearly 200,000 between 1954 and 1959. The prineipal drop is thought to have been in the number of tenants and sharecroppers.

In 1954, there were 465,385 colored farmers in the 17 states of the Southern region—from Delaware around to Texas and Oklahoma. By 1959, the number had dropped to 273,137.

Sharpest drops took place in Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. In most of these States the decline was close to 50 percent or more.

In Arkansas, for example, the decline was from 31,173 to 14,672; Georgia, from 39,532 to 20,172; Mississippi, 101,041 to 55,423 and Texas from 27,529 to 15,510.

A minor part of the decline is accounted for by the change in the definition of a farm. Formerly, three acres or any size plot of land that produced agricultural products valued at $150 or more for home use or for market was defined as a farm.

But in the 1959 census, a plot of land had to be 10 acres or more and must have sold $50 or more of farm products or if smaller, it had to be producing $250 worth of products annually to be classified as a farm. This eliminated a number of small plots from the count.

Approximately 98 per cent of all colored or nonwhite farmers in the South are Negro-Americans. The entire two per cent may be composed of Indians, Japanese and Chinese.

WEST VIRGINIA EXTENSION LEADER RETIRES 24 YEARS SERVICE

L. A. Toney, a State leader of the Agriltural Extension Service of West Virginia, has retired after 24 years of service.

A native of Ohio, Mr. Toney received his education at Ohio State University, earning both his B.S. and M.S. degrees there.

He began his career as a high school principal in 1923; and was promoted to assistant superintendent of schools in Fayette County in 1934. Three years later, he became State leader of Extension Service, working mainly with Negro farm families.

Under Mr. Toney's leadership the Negro Extension Personnel in the State increased from two to 13. He had his headquarters at West Virginia State College.

34c(1) 1961 D.C. ATTY. JOHN B. DUNCAN

Roots In Kentucky

Duncan Began Career As A Messenger Boy

The Courier-Journal Bureau

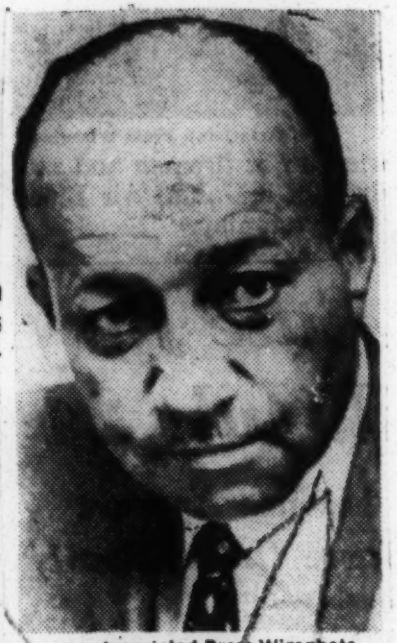
Washington, July 11.—Kentucky-born John B. Duncan will have had it both ways in race relations when he is sworn in as one of the Three District of Columbia commissioners.

Since 1952, Duncan has been the district's recorder of deeds, a post which has not been held by a white man since James A. Garfield gave it in 1881 to the famous Negro orator, Frederick Douglass. Duncan is the 12th Negro to hold the job.

When the Senate confirms President Kennedy's appointment of Duncan, he will become the first member of his race to serve on the body, which functions as the executive branch of the capital city.

His rise to the top climaxes a civil-service career of 27 years which began when he became a messenger in the Interior Department.

Duncan's roots are similar to those of many of the Negroes who compose more than half Washington's population. He was only 3 when his family moved from his birthplace in Springfield, Ky., to Salisbury, N. C., and he has had no ties with Kentucky for most of his life. He arrived in Washington when he was only 17.



Associated Press Wirephoto
JOHN B. DUNCAN

Last Recorder Named On Patronage Basis

Because he has spent 27 years in civil-service jobs, Duncan has no public affiliation with a political party. However, his appointment as recorder of deeds was made in 1952 by Democrat Harry S. Truman

He also has the distinction of being the last recorder to be appointed on a patronage basis. After he was named nine years ago, Congress put the job on a civil-service rating and gave the appointing power to the commissioners instead of the president. Hence, Duncan, who is credited with placing the office on a more efficient basis, will have a hand in choosing his successor.

The resort by Kennedy to a career Government servant for his choice as commissioner follows the bad effects which flowed from his earlier selection of a Negro prominent in Democratic politics for the post. The job went to Frank D. Reeves, Democratic national committeeman for the District of Columbia. But in the inquiry held by a Senate committee which had to pass on his nomination, it was revealed that Reeves had been tardy in filing and paying income taxes. In the controversy that followed the revelation, the White House staff persuaded Reeves to ask that his appointment be withdrawn.

Charge Reeves Was Dropped For Racial Reasons

Considerable bitterness has been expressed by some Washington Negroes, who charged that Reeves was dropped because of his race rather than because of his delay in paying taxes.

Although Duncan has kept out of political affairs, he has been active in many of Washington's civic organizations, extending fromt he United Givers Fund to the National Conference of Christians and Jews.

The new commissioner is a graduate of Howard University and Terrell Law School.

34c(1) 1961 D.C.

Frank Reeves top contender for D.C. commissioner job

By EDWARD PEEKS

WASHINGTON

The District population is 54 per cent colored, according to preliminary figures on the 1960 census obtained this week from the Census Bureau.

The population breakdwon by race for the city is 46.1 per cent white and 53.9 nun-white, of which the overwhelming majority is of African descent.

Community leaders say that the change in the population complexion of the District warrants an overdue change for more colored representation in policy - making positions in the city.

The Committee of 100, composed principally of Washington ministers, discussed the question last week at a meeting called by the Rev. E. C. Smith, committee chairman.

Sponsor of this annual leadership conference is the Washington Bureau of the National Fraternal Council of Churches, the Rev. Andrew Fowler, bureau director.

Community leaders said there should be more colored residents holding top city positions and serving on the various advisory councils and regulatory boards.

Members of the District Democratic Central Committee say, as they have since the elections, that Frank D. Reeves is still the top contender in party circles to become the first District commissioner of color in the history of the city.

Mr. Reeves, however, has been mum on the question. He became the first colored Democratic National Committeeman when he was elected from the District in last spring's primary for a seat in the highest council of the party.

Rep. William L. Dawson serves as vice chairman of the Democratic National Committee.

Community leaders say there should be more colored representation on such city agencies as the Library Board of Trustees and the Hospital Advisory Council.



FRANK REEVES

These agencies advise District commissioners on city policy - making in their respective areas, the use and disbursement of city and Federal funds.

Leaders say it is high time that colored representation be increased on the school board, which now has three colored members.

The ratio of 3 to 6 of the nine-member board was set at a time when colored children in the District made up about a third of the school pouplation, they said.

Now colored pupils constitute 80 per cent of the population.

In the Metropolitan Washington area, non - whites are expected to number about 25 per cent of the total area population when these census figures become available.

The ratio will not vary much from what it showed 10 years ago, which then was 76 per cent white and 24 per cent non-white.

Change in the District represents a national trend for large cities with the suburban stream being predominantly white in the move from the city.

Washington now has 411,737 colored residents as compared with 345,263 white. In the non-white total, there are 6,956 persons belonging to other racial groups.

Carl T. Rowan Offered State Department Post

MINNEAPOLIS, Minn. — (UPI) Carl T. Rowan, Minneapolis Tribune staff writer, confirmed that he has been offered the post of deputy assistant Secretary of State for public affairs in the Kennedy administration.

Rowan, 35, said he would decide Monday whether to accept the post.

The Bureau of Public Affairs provides the American public with information about United States foreign policy and acts as public opinion advisers to the Secretary of State.

Rowan, a former foreign correspondent for the Tribune, now does mainly special assignment reporting. He has been a member of the Tribune staff since 1948.

Named by the U. S. Junior Chamber of Commerce as one of the country's 10 outstanding young men in 1953, Rowan is the only newsman ever to win the Sigma Delta Chi medallion three years in succession.

He has traveled for the State Department in Asia, lecturing on the role of the press in a democracy, and in 1951 received the Sidney Hillman prize for the best reporting of the year. The prize was given for his series of articles on race relations in the South.



CARL T. ROWAN

Negro Gets State Dept. Policy Role

MINNEAPOLIS, Minn. (AP) — Soft-spoken Carl T. Rowan, a Negro who has broken barriers regularly in his young career as a journalist, Wednesday became one of few of his race to occupy a policy position in the U.S. State Department.

Rowan, 35, was named by President Kennedy to be deputy assistant secretary of state for public affairs.

Rowan says his bureau in the department will be charged with advising Secretary of State Dean Rusk how to explain U.S. policy to the American people and reporting back to Rusk on public reaction — in short, ascertaining that the people know and understand U.S. goals in foreign policy.

A Writer.

Rowan leaves behind a 12-year span as copy editor and reporter for the Minneapolis Tribune, plus a lucrative sideline as author and lecturer. He'll lose an estimated $10,000 a year by the move, but gives greater weight to his government rank.

"A number of Negroes have called and asked me to take the appointment for that reason," he said.

Rowan's newspaper articles occasionally brewed controversy, while winning him many awards for journalistic excellence. He was attacked in some quarters on grounds that he did not write objectively about Negroes in both North and South, American Indians and the people of India.

Several of the series were expanded into books, "South of Freedom" and "Go South to Sorrow," both about American Negores, and "The Pitiful and the Proud," based on observations in India and Pakistan.

He has been an ardent spokesman against segregation but attempts to be an objective reporter first, a Negro second—a characteristic acclaimed by several book reviewers.

An official of the National Association for the Advancement of Colored People criticized a Rowan magazine article. The same NAACP official had praised a Rowan book.

"I wrote him that I accepted his criticism at the same value as his praise—namely that I didn't give a hoot," Rowan said.

In 1944, the husky Ravenscraf, Tenn., native became one of the first 15 Negroes to win commissions in the Navy's V-12 officer training program. In 1951 he was the first Negro to win the "outstanding young man" award of the Minneapolis Junior Chamber of Commerce.

Two years ago Rowan quietly and unobtrusively breached an unofficial housing barrier in the fashionable suburb of Golden Valley where he built and moved into a new home.

A few complaints popped up, one directed to a village councilman who asked: "What do you want me to do? Go out and throw rocks at his house?"

Holder of degrees from Oberlin College and the University of Minnesota, Rowan was enlisted by Minnesota athletic officials to help recruit Negro athletes and to dissipate rumors they would not be welcome.

Result: Sandy Stephens, Bill Munsey, Judge Dickson and Bobby Bell, all Negroes and all instrumental in Minnesota's drive to the national football championship and the Rose Bowl.

Rowan is an excitable football fan, along with sons Geoffrey, 7, and Carl Jr., 8, is a former semi-pro baseball player and an admittedly fanatic golfer who shoots in the 70s. Rowan, married in 1950 to public health nurse Vivien Louise Murphy, also has a daughter, Barbara.

Kennedy Names Negro Special "Assistant"

WASHINGTON — President Kennedy Monday selected Negro Attorney Frank Reeves, of Washington, D. C., to serve as special White House Assistant and sent the Senate the name of Robert C. Weaver, of New York, to be approved as head of the Housing and Home Finance Agency.

Kennedy was reported as saying Reeves will handle "a variety of matters," including minority problems.

Kennedy also selected James E. Webb, an official in the former Truman administration, to head the nation's multi- billion dollar civilian space program.

One of his first responsibilities could be to coordinate a joint American - Soviet space exploration program if the Russians accept Kennedy's challenge to the Kremlin to join in probes of Mars and Venus.

Kennedy's proposal, outlined in his first State of the Union Message, was described in Moscow dispatches as likely to win favorable reaction from the Russians. Western observers said, however, that the actual mechanics might involve endless difficulties.

In addition to Webb, Kennedy named four other high - level federal officials and sent the Senate 15 other nominations announced previously. These include Weaver.

Several Southern senators have said they will oppose Weaver, a Negro who favors federal action to prevent racial segregation in publicly - aided housing. Weaver now is vice chairman of the New York City Housing Authority and has the endorsement of both of the state's GOP senators.

Webb, active in a number of private and governmental fields, will succeed T. Keith Glennan as administrator of the National Aeronautics and Space Administration NASA.

Chairman Robert S. Kerr, D-Okla., of the Senate Space Committee, praised Webb's appointment calling him "one of the finest Oklahomans North Carolina has ever produced." Kerr said the space committee would act on the nomination "shortly."

FHA's Weaver Plans No Quick, Drastic Action Against Jim Crow

WASHINGTON — (ANP) — The nation's new housing chief, 53-year-old Robert Weaver said he had no immediate plans for ending racial discrimination in housing, but he will study proposals submitted by his staff and outside consultants.

Weaver also declared that he does not plan to urge the President to make any immediate decisions on an executive order banning racial discrimination in housing for the present time.

Weaver made this statement in less than two weeks after taking up duties in his new office, then announced that he had moved into one of Washington's urban renewal housing developments, the Capitol Parks Apartment. It has been claimed by ministers in Washington that the project was designed to keep Negroes out of others.

Sets Worthy Example

Weaver said he could have moved into his own home here, but he wanted to set an example as head of the Housing Agency by living in a housing project sponsored by the agency.

Baptist ministers meanwhile are preparing position papers to present to a Senate Committee early this month that will show urban renewal projects in the nation's capital to be in reality, urban "removal" projects.

At a recent conference of city ministers, it was determined that urban Negro families were moved out of certain areas in this city to enable a redevelopment program to be initiated that when completed, is priced out of the range of the former inhabitants.

Hold Different Views

Urban renewal authorities, on the other hand say there is no type of discrimination practiced, and they point out that just across the street from such projects as the Capitol Park Apartments, there are many public housing homes. Authorities indicate that the majority of these new homes are occupied by Negro families.

Engelhardt's Case Studied By Examiner

WASHINGTON (AP) — A Hatch Act violation charge against Alabama Highway Director Sam Engelhardt is in the hands of a Civil Service Commission examiner.

Engelhardt, who also is Alabama Democratic chairman, is charged with violating the federal act which prohibits certain political activities by some officials of state agencies getting federal funds. He was not present at Thursday's hearing.

CSC examiner James M. Nease took the case under advisement after a hearing in Washington Thursday. His recommendation will go to the three-member Civil Service Commission for a final decision.

Two witnesses testified that they regarded federal aid for highways as reimbursements to states for road construction, rather than strictly grant or aid programs. The witnesses were Al Church, Va., executive secretary, fred E. Johnson of Falls of the American Association of State Highway Officials, and Clifton Enfield, general counsel of the Federal Bureau of Public Roads.

The CSC, if it rules that Engelhardt violated the act, can ask that he be removed from office. If this isn't done, the federal government can withhold $30,000 —an amount double Engelhardt's annual salary — from Alabama road funds.

Loses Committee Job Under Dixie Chairman

BY ALICE A. DUNNIGAN

WASHINGTON — (ANP) — Delmas Escow, associate counsel for the House Committee on Constitutional Rights, was the first staff member, as far as could be determined, to receive the axe under new Southern leadership.

Escow, a Kansas City Negro lawyer and former newspaperman, came to Washington about five years ago to accept the position offered him by Missouri's Sen. Thomas Hennings who was then chairman of the committee.

After Henning's death the chairmanship was awarded to Sen. Ervin of North Carolina who was the next man in line for the post under the seniority rules.

PRAISES ESCOW

After Congress convened Ervin sent a letter to Escow complimenting him for the wonderful work he had done on the committee, but notifying him that his services were no long- and he feels that the Committee will not do much work in this area under Sen. Ervin.

Miss Simmons, who did research on issues and legislation dealing with civil rights for Sen. Hennings, was offered a job at the beginning of this session of Congress in the office of Sen. Long who was elected to fill Hennings place. She declined the offer because the job paid something like $500 less than the salary she was already receiving.

er needed, as he would prefer to bring his own lawyers to the staff.

It was not learned whether the other Negro member of the staff, Miss Belva Simmons, research assistant, would be retained. Miss Simmons, an active politician of St. Louis was appointed to her position about six years ago by Sen. Hennings.

It was learned that the researchers and secretaries might be kept, since the new chairman was apparently after the jobs of the four top men to be filled by patronage. Escow's job is said to have paid around $12,800. It is rumored that he might be given a post in the Justice Department.

NOT UNHAPPY

Escow said he was willing to leave the committee since he didn't feel that he could do a very effective job under the new leadership. He has worked specifically, but not exclusively, in the fields of civil rights.

Negro Writer To Take Post With Tubby

MINNEAPOLIS, Jan. 25 (AP). —Carl T. Rowan, a staff writer for the Minneapolis Tribune, said last night he would accept a post as Deputy Assistant Secretary of State for Public Affairs.

Official announcement of the appointment is expected from the State Department later this week. The appointment would place Mr. Rowan, 35, a Negro, as second in command of the department's Public Affairs Bureau, headed by Roger Tubby, former White House press secretary.

The bureau serves as coordinator of United States international information policies and informs the American public on foreign policy, among other things.

Mr. Rowan, a member of the Tribune staff since -948, spent three months in India in 1954 under a State Department cultural exchange program. He also attended the Bandung Conference of Afro-Asian nations in 1955, and has covered several sessions of the United Nations General Assembly.

In addition to his newspaper articles, Mr. Rowan has written frequently for magazines and is the author of several books.



CARL T. ROWAN

Indian Heads U.S. Bureau

WASHINGTON — (ANP) — President Kennedy last week broke a 30 year precedent by appointing a full blooded American Indian as head of the Bureau of Indian Affairs.

He is John O. Crow, a full blooded Chippewa Indian.

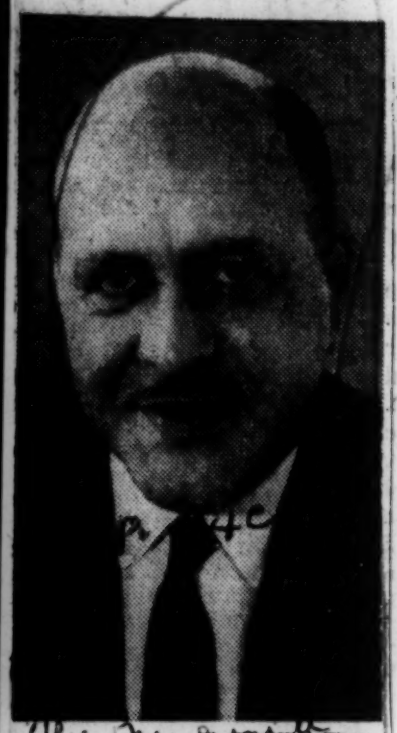
The White House said Crow, 48, is the first one of Indian stock to be chief of Indian affairs since 1871. He has been with the Indian affairs bureau for 28 years.

Crow played football for the Haskell Indian Institute Lawrence, Kans., and for the old Boston Redskins professional team.

34c(1) 1961

D.C.

DR. ROBERT C. WEAVER-HEAD OF THE HOUSING AND HOME FINANCE AGENCY EXPECTED TO HEAD DEPARTMENT OF URBAN AFFAIRS AND HOUSING ?



The New York Times

MAY GET NEW POST: Dr. Robert C. Weaver, head of the Housing and Home Finance Agency. He is expected to head Department of Urban Affairs and Housing if it wins Cabinet status.

URBAN LIFE UNIT IN CABINET GAINS

The New York Times

Senate Group, 5 to 2, Backs Bill for New Department

p. 14c

WASHINGTON, Aug. 11 (AP) —A bill to create a new Cabinet post was approved today by the Senate Government Operations Committee. The vote was 5 to 2.

The move, requested by President Kennedy, would establish a Department of Urban Affairs and Housing. Actually, the effect would be to elevate the Housing and Home Finance Agency to Cabinet status.

If the department is created it is generally expected that Housing Administrator Robert C. Weaver will be named to head it. He would become the first Negro Cabinet member.

The newest Cabinet unit, the tenth, is the Department of Health, Education and Welfare. It was created in 1955 under a reorganization plan submitted by Dwight D. Eisenhower as President.

The further new department as outlined in the bill as originally offered was that it might benefit only the large cities. The Senate committee revised the bill sharply with a view to emphasizing that small towns and communities would share in whatever programs and aid were administered under the new department.

As approved by the committee the bill directs that problems are to be solved through "state, county, town, village or other local and private action." The department would serve as a clearing house service for state and local government units.

Senator Joseph S. Clark, Democrat of Pennsylvania, chief sponsor of the measure, told the committee that the bill would not reshuffle any function in or out of the H. H. F. A.

"It merely confers status," he said, adding:

"But in government, as elsewhere, the importance of status cannot be ignored. A major, no matter how able, cannot do a major general's job."

He declared the department needed because of the unprecedented growth of the nation's cities and the shift from a predominantly rural to a predominantly urban population.

"The Federal role in urban matters is here to stay," he asserted, "and the need is to make Federal participation and assistance more orderly, better coordinated, more rational, less arbitrary, less haphazard."

Senator John L. McClellan, Democrat of Arkansas, who cast one of the committee's two opposition votes, told reporters that, while the Senate might approve the measure this year, he thought the chances for action would be better next session.

A similar measure is before the House Government Operations Committee, but no hearings have been held on it.

34c(1) 1961 D.C.

APPOINTED- U.S. TREASURY DEPARTMENT
BOND SALESMAN



Treasury Gets Area Bond Salesman

Sylvestre C. Watkins Sr., former circulation manager of the Chicago Daily Defender and newly appointed area savings bonds salesman for the U. S. Treasury Department, talks with Senator Paul Douglas (D-Ill.), right, and Robert A. Wallace, special assistant to the Secretary of the Treasury.

The three met in the senator's Washington office following Mr. Watkins' appointment as area sales representative for Cook County (Chicago) and adjacent Kankakee County. Senator Douglas recommended Mr. Watkins' appointment.

34c(1) 1961

D.C.

DR. EUGENE H. DIBBLE, JR.
APPOINTED- TO THE ADVISORY COMMITTEE ON SHELTERED WORKSHOPS OF THE U.S. DEPARTMENT OF LABOR



Birmingham Ala. Mail 8-12-61

ON ADVISORY COMMITTEE—TUSKEGEE INSTITUTE, Ala. — Dr. Eugne H. Dibble Jr., medical director at Tuskegee Institute, has been appointed to the Advisory Committee on Sheltered Workshops of the U. S. Department of Labor.

Sheltered workshops are non-profit organizations which provide paying jobs for handicapped workers. The Advisory Committee serves as consultant to the government to enforce fair labor standards for such workers.

Birmingham Ala.

The 16 - member - committee is made up of representatives of labor, industry, the public, and persons employed in the sheltered workshop field.

Dr. Dibble is one of three public representatives. The other two are Kennenth Hamilton, associate director of the Ohio Rehabilitation Center in Columbus, and Alvin D. Puth, assistant director of the National Rehabilitation Association. Washington. D. C.

34c(1) 1961 D.C.

Meriwether Wins Post After Hot Senate Fight

by Montgomery Advertiser Montgomery, Ala.



AP Wirephoto

SENATE OKAYS POST FOR FINANCE CHIEF
Mr. And Mrs. Charles Meriwether After Hearing News

67-18 Vote Backs JFK's Nomination

WASHINGTON (AP)—The Senate voted 67-18 Wednesday to confirm President Kennedy's nomination of Charles M. Meriwether to be a director of the Export-Import Bank.

"I am confident that he will do a good job," Kennedy said.

The President voiced his comment at a news conference shortly after the outcome became known. Kennedy repeated that he had studied Meriwether's record before nominating him.

Nineteen Republicans joined 48 Democrats in supporting the appointment. Opposing it were 10 Republicans and 8 Democrats.

The vote was almost the same numerical tally by which the Senate refused 66-18 earlier to pigeonhole the nomination.

Meriwether, an Alabama segregationist, aroused the most bitterly worded opposition yet encountered by a Kennedy appointee.

CALLED RACIST

Leading the attack, Sen. Wayne Morse, D-Ore., called Meriwether a racist and an anti-Semite and said Kennedy made a "horrendous mistake" in appointing him.

He declared Kennedy "owes an apology to every Jew in America, to every Negro in America, for this appointment."

"This nomination will rise to plague the President of the United States," Morse said. "The President has no right to make such an appointment."

Meriwether, a political ally of Gov. John Patterson of Alabama, denied in testimony before the Senate Banking Committee that he was anti-Negro, anti-Semitic or anti-Catholic.

He said he never was a member of the Ku Klux Klan but acknowledged he accepted support from all sources when he managed Patterson's 1958 campaign for governor.

Sen. Jacob K. Javits, R-N.Y., who made the unsuccessful move to shelve the nomination, told the Senate he hoped Kennedy would examine the record carefully.

He said it would show that some senators will not be persuaded by any political honeymoon to refrain from protesting against what they consider improper appointments.

Morse told the Senate earlier "I think I have been reliably informed" that Meriwether has a police record, and "it is charged that he at one time was an alcoholic although his friends now claim that he is reformed."

Sen. A. Willis Robertson, D-Va. defended Meriwether against what he called an "attempt to prove guilt by association."

"The real objection to Mr. Meriwether is that he believes that segregation in Alabama is best for Alabama," Robertson said.

Meriwether said he was grateful to Kennedy and to the Senate.

In a statement he said: "This expression of confidence in my ability is reassuring and I accept with great humility the privilege of serving on the board. As a director of the Export-Import Bank, I will always exert my best effort on behalf of my country and will perform my new duties with interest, vigor and determination."

Investigation will show, Morse said, that Meriwether is a racist and is anti-Semitic.

Morse told the Senate he received a number of telephone calls from Alabama Tuesday night.

He said one unidentified newspaperman told him that retired Admiral John G. Crommelin, who ran against Sen. John Sparkman, D-Ala., for the Democratic senatorial nomination in 1954, should be subpoenaed to testify before the Senate committee.

"This newspaperman is satisfied, if he (Crommelin) were subpoenaed to testify, he would testify that Meriwether lied before the Senate Committee on Banking and Currency when he tried to lead that committee to believe he had no part to play whatsoever in the 1954 (Crommelin) campaign," Morse said.

"This editor, as the editor to whom I referred in my speech yesterday did, said that Meriwether lied when he sought to leave the impression with the Senate Banking and Currency Committee that he was not aware of Shelton's Ku Klux Klan connections and sought to leave the impression he did not work with Shelton in Alabama politics in connection with the Patterson campaign."

This was a reference to Robert Shelton, a former grand dragon of the KKK.

NOMINATION ... DISSERVICE'

At another point Morse said the Alabama editor whom he didn't identify had told him that Meriwether has no philosophy, that his nomination was a disservice to Alabama.

Morse said he agreed, adding that Meriwehter is first, last and always a politician.

Later Morse said he had a slip of paper in his hand telling him to call a member of the Alabama Legislature about some land deals that were investigated by committee of the U.S. House of Representatives.

Morse said he was told that if the Senate obtained this information it would reflect discredit on Meriwether.

Morse said he would not use the adjectives "he used in describing the degree of his crookedness" but said that "he made it very clear in colorful language that they consider him to be a reprehensible crook."

He did not explain who "he" was or who "they" were or who gave him the slip of paper.

Meriwether Survives

The Courier-Journal

Acrid Debate In Senate

Louisville Ky

Vote Due Today On Kennedy's Bank Nominee

Wed. 3-8-61

Washington, March 7 (AP)—After a debate inflamed by charges of alcoholism and McCarthyism, the Senate refused to shelve the nomination of Charles M. Meriwether, an acknowledged segregationist.

The debate was the hottest floor fight so far on a nominee of President Kennedy's. The President named Meriwether to be a director of the Export-Import Bank.

The Senate's refusal to shelve the nomination came when it defeated a motion by Senator Jacob K. Javits (R., N. Y.) to send Meriwether's name back to the Senate Banking Committee.

The Senate will vote on the nomination itself Wednesday. The 66-to-18 margin against Javits' motion indicated Meriwether surely would win confirmation.

Morse Attack Heavy

Senator Wayne Morse (D., Ore.) mounted the heaviest attack on Meriwether, suggesting the Alabaman could be a reformed alcoholic and a man with a police record.

Meriwether, a close associate of Governor John Patterson of Alabama, also has been accused of accepting support from the Ku Klux Klan while managing Patterson's campaign in 1958.

Tempers flared during the debate when Senator John Sparkman (D., Ala.) interrupted Morse and said:

"I hate to see the ugly head of McCarthyism raised in the Senate again."

Sparkman's reference was to the tactics of the late Senator Joseph McCarthy (R., Wis.), whose critics described him as irresponsible in his accusations against persons he considered pro-Communist. The Senate condemned some of his actions in 1954.

Morse Angered

Morse strode angrily to Sparkman's desk and said he resented the implication that he had raised McCarthyism.

Sparkman tried to get a word in but Morse, in a storm of shouting, said he never again would yield the floor to Sparkman until he "erases what I consider to be an unfair implication."

"I'm doing my best," Sparkman said, drawing laughter from the Senate and the public galleries.

Morse told the Senate, "I think I have been reliably informed" that Meriwether "does have a police record."

Morse read to the Senate letters he had sent to Kennedy and F.B.I. Director J. Edgar Hoover, asking for the F.B.I. files on Meriwether.

In the letter to Kennedy, Morse wrote:

"Just this morning I have had information presented to me based on allegations that Meriwether has a police record."

Other Defects Alleged

"It is also alleged that he has other serious defects in character which make it impossible for him to meet the character test which is one of the historic criteria that the Senate has the obligation to follow under the advise-and-consent clause."

For instance, Morse continued, "It is charged that he at one time was an alcoholic although his friends now claim that he is reformed."

Morse then read a telegram he had sent Meriwether asking "if you were arrested on September 11, 1947, or any other time on a charge of issuing worthless checks and using a car without the owner's consent. Further I would like to know if you have ever been arrested and, if so, at what times and on what charges."

But Senator Paul H. Douglas (D., Ill.), who usually votes with Senate Liberals, told the Senate:

"I found it impossible to pass harsh judgment on this man and vote against him."

Douglas cautioned the Senate against accepting "testimony of the so-called faceless informer."

Meriwether Denies Bias

He noted that Meriwether had denied any anti-Negro, anti-Catholic, or anti-Jewish feeling.

"Why should we torture this fellow?" Douglas asked.

The Senate Banking Committee has approved the nomination by a 5-to-4 vote, and its chairman, Senator A. Willis Robertson (D., Va.), gave Meriwether srtong support in Tuesday's debate.

"The real objection to Mr. Meriwether," Robertson said, "is that he believes that segregation in Alabama is best for Alabama."

34c(1) 1961 D.C.

Duncan to Be First Negro in Top Post

Washington Post

The selection yesterday of John B. Duncan, District Recorder of Deeds, to be a District Commissioner, would move him from a position which has been traditionally held by a Negro into a post which no member of his race has ever held.

There has, in fact, been only one white Recorder of Deeds since 1881, when Frederick Douglass, the famous Negro orator and abolitionist, was appointed to the Post by President Garfield.

When Duncan was named by former President Harry S. Truman in 1952, he became the 12th Negro appointee to the position. Prior to Duncan, there had ben five Negro Democrats and six Negro Republicans.

But even though he was appointed by a Democrat, there is nothing in Duncan's public record which indicates any party allegiance.

Credits His Record

Duncan yesterday attributed his appointment to "my civic record." He said that he had never sought the nomination, even though he agreed within the last 10 days to permit several Democrats to submit his name to the President.

The Duncan record is contained in three scrap books of newspaper clippings in his office at 6th and D sts. nw. The scrapbooks chronicle his activities in some 40 civic and welfare associations, including leadership posts in the United Givers Fund, the Federation of Civic Associations and the National Conference of Christians and Jews.

The scrapbooks also tell the story of how the post of Recorder of Deeds was removed from the patronage rolls. A Congressional Act transferred the power of appointment from the President to the D. C. Commissioners. This action was taken after Duncan's appointment

Administration Praised

After the post was taken out of the political arena, Duncan took steps to make it into a first class agency. He started an in-service promotion program, upgraded jobs, and started a grievance procedure for employees. All staff positions were put under Civil Servce.

Duncan's administration brought praise from Capitol Hill. At a 1960 hearing Rep. Louis C. Rabaut (D-Mich.), chairman of the House Appropriations committee, had this to say of Duncan's work:

"I want to tell you I think you are an excellent employe of the Government. We were very much impressed with your knowledge of your office and the ability to explain it."

If Duncan becomes District Commissioner, he will face Rabaut in explaining the District budget.

Duncan's aversion to party labels is due largely to the restrictions of the Hatch Act. He started near the bottom rung of the Civil Service ladder in 1934 as a messenger in the Department of Interior. He continued in Government service while attending the Howard and Terrell law schools.

After being admitted to the Maryland Bar, Duncan was appointed in World War as an attorney for the Bituminous Coal Association and the Office of Price Administration.

Between 1947 and 1949 he was a Senior Attorney for the Office of the Housing Expediter, later serving in the same post for the Housing and Home Finance Agency.

Turns to Civic Affairs

As uncan climbed upward in Government, his civic activities also grew. By the time he was appointed Recorder of Deeds, he also was president of the Federation of Civic Associations. One could scarcely any civic meeting without running into Duncan.

Duncan was born 51 years ago in Springfield, Ky., but he was reared in Salisbury, N. C. He came to the District 34 years ago. He received a bachelor's degree from Howard. He started on a master's degree in philosophy before switching to law.

Duncan's civic affairs, he says, keep him too busy for any social activity outside of an occasional rubber of bridge. He lives with his wife, the former Edith West, and their two children in a $19,000 house at 5330 2d st. nw.



JOHN B. DUNCAN
... D. C. Commissioner-designate

MR. JOHN B. DUNCAN, DISTRICT RECORDER OF DEEDS TO BE D.C. COMMISSIONER

Kennedy Chooses Negro As D. C. Commissioner

Courier-Journal

Kentucky Native, J. B. Duncan, Started Work For U. S. In 1934; Senate Action Next

June 7-11-61

By The Associated Press

Washington, July 10.—President Kennedy Monday selected John B. Duncan, 51, a Negro veteran of Government service, to be a member of the District of Columbia Board of Commissioners.

The White House said a formal nomination will be sent to the Senate.

The three-member board administers municipal affairs here. More than half the population of Washington is Negro, and there have been persistent demands from Negro leaders that a member of their race get a place on the board.

Was Kennedy Aide

Earlier, Kennedy nominated Frank D. Reeves, a Washington Negro attorney, for the $19,000-a-year job. At the time, Reeves was serving as a special presidential assistant.

It developed in Senate hearings that Reeves had been delinquent several times in filing or paying both District of Columbia and federal income taxes. Questions were also raised without definitive answers as to the financing of his purchase of a $47,000 home.

Reeves asked withdrawal of his nomination. He is Democratic national committeeman for the District of Columbia, and he said some senators felt there would be a conflict of interest if he served as commissioner and also held the party office.

The White House withdrew the nomination. It also announced Reeves had resigned as a presidential assistant.

Duncan, a Democrat, has been recorder of deeds for the District of Columbia since 1952. Born in Springfield, Ky., Duncan entered Government service as a messenger for the Interior Department in 1934.

He studied law and, after his admission to the bar in Maryland in 1941, became an attorney for the Bituminous Coal Commission, a Government agency. Later he served as an attorney for the Office of Price Administration and the Housing and Home Finance Agency before becoming recorder of deeds.

34c(1) 1961 D.C. MR. FRANK D. REEVES
APPOINTED-DISTRICT COMMISSIONER

Reeves' Chief Aim: Home Rule for D. C.

By Luther P. Jackson
Staff Reporter

Frank D. Reeves said yesterday that he intends to work himself out of his new job as a District Commissioner.

"I plan to do everything I can to bring home rule to the District," he said.

Reeves would not say what type of home rule he preferred, but he insisted that obtaining some form of self-government would be the one of the main objectives of his service at the District Building.

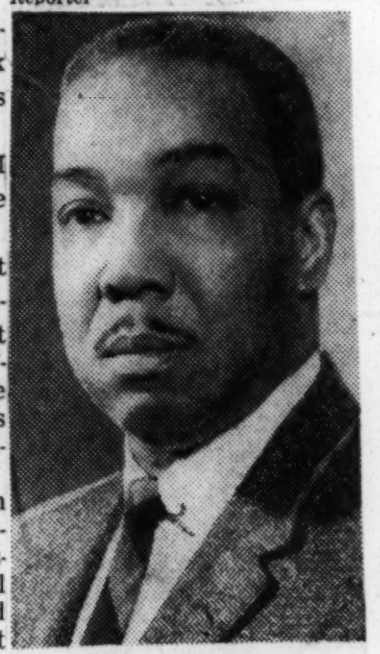
Reeves was less outspoken about some of the other problems—schools, finances, housing—which he feels that he will face as a Commissioner. He said he wanted some time to "get my feet wet" before giving his views.

And Reeves prefaced his remarks with the warning that there remains "the little matter of my appointment being confirmed by the Senate District Committee."

His caution might date back to Jan. 30 when it was published that he would get the District Commissioner post vacated by Mark Sullivan Jr. Later that day, the job went to Board President Walter N. Tobriner. At the same time, Reeves was named Special Assistant to the President.

Reeves said yesterday that he did not regard the White House post as a setback. He said that he "did not campaign" for the job of District Commissioner.

"I have always been willing to accept any responsibility offered me by the President," he added.



FRANK D. REEVES
. . . nominated as District Commissioner

And so far, the President has done well by him. Reeves had backed a string of unsuccessful Democratic candidates—Adlai E. Stevenson, Sen. Estes Kefauver and Sen. Hubert Humphrey — before last July when he seconded Kennedy's nomination as the Democratic candidate.

Ever since the President's election, Reeves has been rumored as having the best chance of becoming the first Negro to get a seat on the three-member Board of Commissioners. Yesterday the rumor became a fact.

Appointee First Negro In D. C. Post

Slated to Replace McLaughlin Who Quits Job June 30

President Kennedy yesterday nominated Frank D. Reeves as a District Commissioner. Reeves would become the first Negro to hold the post.

His appointment had been expected.

The nomination was sent to the Senate for confirmation. A spokesman for the Senate District Committee said that he expected Committee hearings would be completed in time for the Senate to act and for Reeves to be sworn into office on July 1.

Reeves is due to succeed Republican Robert E. McLaughlin, whose term expires on June 30.

While appointment of a new Commissioner calls for a new election, it is expected that Walter E. Tobriner will remain president of the Board and that Reeves will take over the departments now supervised by McLaughlin, including Health, Welfare and Corrections.

Sketch and Picture on Page A4.

A 45-year-old lawyer, Reeves ha sbeen a special assistant to Mr. Kennedy since Jan. 30. His nomination to the $19,000-a-year District Building post is for a 3-year term .

Reeves has been active in District Democratic affairs since 1948. In May, 1960, he was elected as the District's Democratic National Committeeman—the first Negro member of the National Committee from the District or from any state.

At the Democratic National Convention last July Reeves was one of three persons to second Mr. Kennedy's presidential nomination. During the campaign he served Mr. Kennedy as minorities adviser.

Reeves lives at 3934 New Hampshire ave. nw. with his wife, the former Elizabeth Walker, and their children, Deborah, 8, and Daniel, 6. Mrs. Reeves is a speech instructor at District Teachers' College an da consultant in speech to Howard University.

Reeves has been on leave from the law firm of Reeves, Robinson and Duncan since his appointment to the White House staff.

He is a graduate of Shaw Junior High School, Dunbar High School and Howard University Law School. He was recently named to Howard's Board of Trustees.

Reeves was one of the leading attorneys in Northern Virginia's public school desegregation cases. He entered private law practice 15 years ago after a brief term on the staff of the old Office of Price Administration, membership on President Truman's Committee on Fair Employment Practices and with the NAACP.

34c(1) 1961 D.C.

Sub-cabinet Member Has A 'Program'

Special Aide To Labor Secretary Already At Work

ALLENTOWN, Pa. — George L. P. Weaver, special Assistant to Secretary of Labor Arthur J. Goldberg, urged greater efforts to insure that trade unions in newly emerging nations keep from becoming "tools of the state."

Among the ways in which the United States can help these nations, he said, is by:

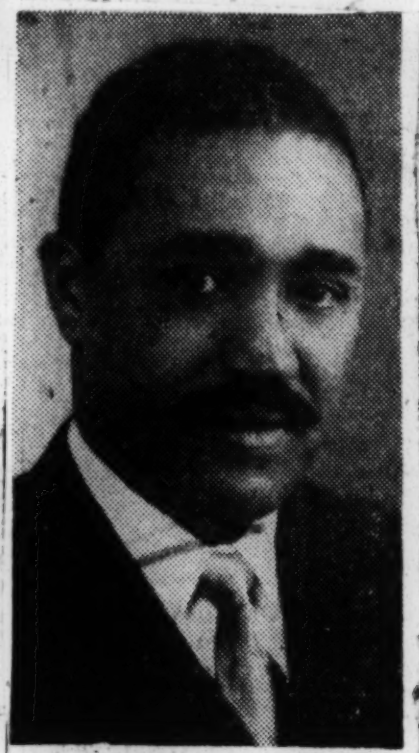
1. Making "fully effective use of our own labor leaders in the field of our international relations."

2. Developing an expanded program of exchange, "on a people - to - people basis," of foreign and American trade - unionists at every level.

3. According to the labor movement around the world "the same interest and conern, in the area of foreign diplomacy, which we have traditionally extended to other facets of societies abroad."

MR. WEAVER, who in July will assume a post of Assistant Secretary of Labor for International Affairs, spoke at a "Republic Day of India" observance, honoring the 10th anniversary of India's constitution.

Noting the rivalry of democratic and Communist - influenced labor organizations in India, he warned that the "fate of millions of Indian citizens could be determined by a distinct minority if the traditional pattern of quick Communist takeover is given an opportunity.".
nity."



GEORGE L. P. WEAVER

Has A "Program"

Morrow Named To $11,000 Job In Veterans Bureau

Washington—E. Frederic Morrow, first Negro presidential aide in the White House, was named to an $11,000-a-year Veterans Administration post in Washington a few days before President Eisenhower went out of office, it was disclosed last week.



E. FREDERIC MORROW

Morrow was named a special assistant to the manager of the city's Veterans Benefit office.

During his stay at the White House, Morrow earned $18,500 a year and was in charge of a special projects group.

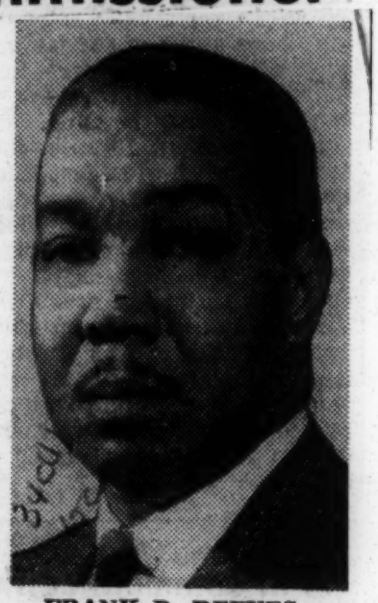
Reeves to Be Appointed As D.C. Commissioner

President Kennedy has decided to appoint Frank D. Reeves, Democratic national committeeman from the District, as a member of the Board of Commissioners, it was learned today.

The 44-year-old attorney will become the first Negro named to the board.

He will succeed Mark Sullivan, jr., who has been a Commissioner since last fall. Mr. Sullivan received a recess appointment and was renominated by President Eisenhower on January 10. However, the Senate has not acted on the nomination.

Mr. Reeves, who has been active in civil rights litigation, was one of Mr. Kennedy's traveling assistants during the presidential campaign. He was originally a supporter of Senator Humphrey, but at the Los Angeles convention, with the Minnesotan out of the race, he seconded the Kennedy nomination.



FRANK D. REEVES

Committeeman Since May

Since the election he has figured frequently in speculation either as a Commissioner or a judge.

He was elected a national committeeman last May, becoming the first Negro to hold this position from the District.

Mr. Reeves was born in Montreal and moved with his parents to New York and then to Washington. He attended Shaw Junior High School and was graduated from Dunbar High in 1932. A graduate of Howard University, he received his law degree there in 1939. Twice he has been on the staff of the university's law school.

In 1940, he became assistant to Thurgood Marshall, special counsel for the National Association for the Advancement of Colored People. Two years later he was administrative assistant to the director of the NAACP's Washington bureau.

Served on FEPC, OPA

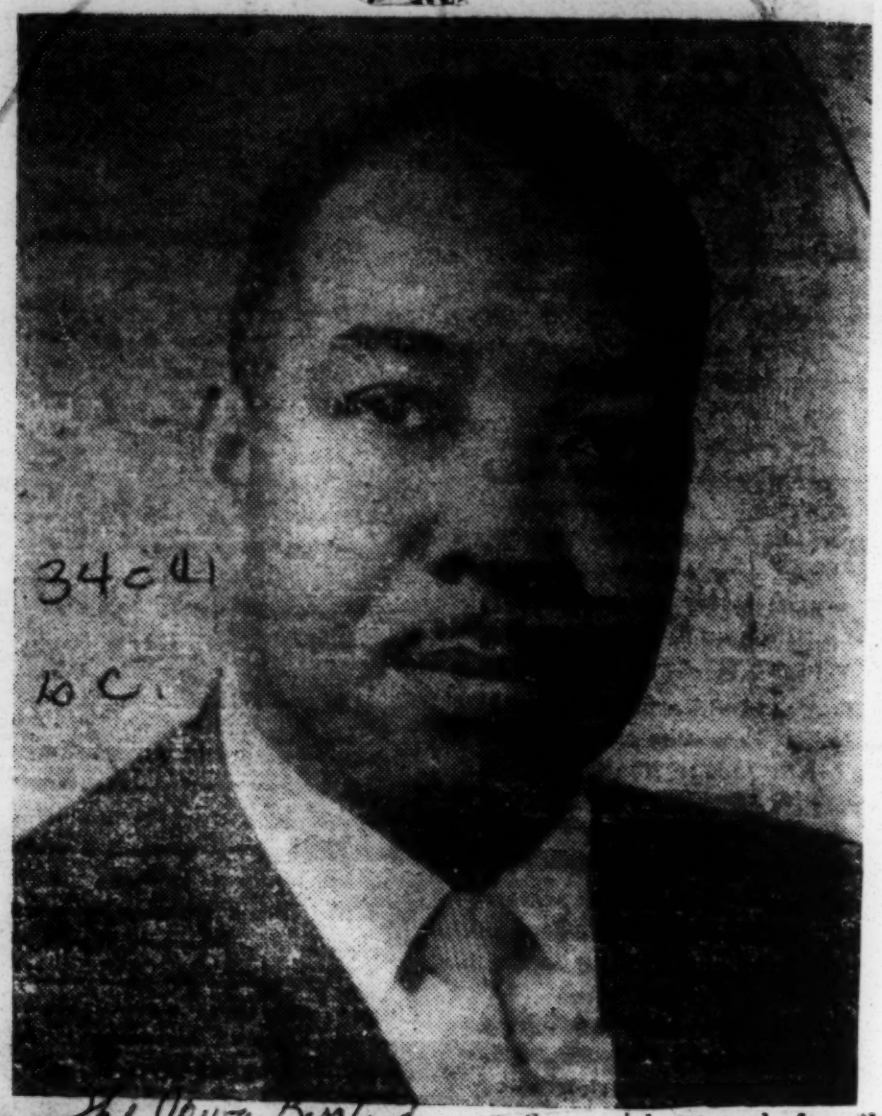
Mr. Reeves, who was naturalized in 1943, served from that year until 1945 on the staff of the President's Committee on Fair Employment Practices. For six months in 1945 he was on the staff of the Office of Price Administration and then entered private practice.

The attorney, whose home is at 3934 New Hampshire avenue N.W., is senior partner in the law firm of Reeves, Robinson & Duncan.

Mr. Reeves has participated in school desegregation cases in both Arlington and Alexandria, and in court appearances and elsewhere has contended that pupil placement systems were a device to continue segregation.

The prospective Commissioner entered actively into politics in 1948. At that time he organized and served as chairman of the District of Columbia Citizens Committee for the re-election of Harry S. Truman as President. Later he served on the campaign staff of Adlai E. Stevenson, the 1952 and 1956 Democratic presidential candidate.

Named Special [illegible]al Assistant



Washington, D. C.—Frank D. Reeves, Democratic National Committeeman for the District of Columbia, has been appointed by President Kennedy to be a special Presidential assistant.

He has long been active in Democratic politics, serving in 1952 and 1956 on Governor Stevenson's Presidential campaign staffs. Reeves seconded Senator Kennedy's nomination and travelled with him throughout the campaign.

1st Negro

In May 1960 he was elected Democratic National Committeeman for the District of Columbia, becoming the first Negro to hold that position. Reeves is Washington representative for the National Association for the Advancement of Colored People and since 1948 has served as a member of the National Legal Committee of the NAACP. Earlier, from 1940 to 1942, he was assistant to Thurgood Marshall, special counsel for the NAACP.

Cum Laude

Reeves, 44, was born in Montreal, Canada, and came to the District of Columbia in 1928. He graduated cum laude from Howard University in 1936 and received his law degree from there in 1939. He has served on the staff of the University's law school at various periods since 1943.

Why Was Frank Reeves Shifted From D. C. Commissioner To White House?

By LOUIS LAUTIER

WASHINGTON, D. C. —(NNPA)—Why was Frank D. Reeves, 44-year-old lawyer, given a turnaround in the selection of a replacement for Mark Sullivan Jr., on the District of Columbia board of commissioners?

Ever since the Presidential election, Mr. Reeves had been tabbed for appointment as a commissioner. Persons in position to know said he would get such an appointment. Mr. Reeves himself expected it even to a few hours before President Kennedy on Tuesday named Walter N. Tobriner, an attorney and president of the District of Columbia Board of Education for the post.

Reports were definite Tuesday that President Kennedy had decided to appoint Mr. Reeves as a member of the three-member board of commissioners. Reporters at the White House sought confirmation of these reporters, but Pierre Salinger, Presidential press secretary, declined as late as 4 p.m., to confirm or deny the reports.

The appointment of Mr. Tobriner as a Commissioner and of Mr. Reeves as a special assistant to the President appeared to be a sudden switch of plans.

A number of reasons have been offered unofficially for the change in plans but none of them could be verified.

One of the reasons suggested that the change was related to the bitter fight over increasing the size of the Rules committee in order to insure that Mr. Kennedy's legislative program reaches the House floor for debate and vote.

The suggestion is that the switch was made to hold in line some Southerners, who were threatening to oppose enlarging the committee.

Two Dixiecrat members of the House District of Columbia committee, which overseers the government of the District of Columbia, were reported to have been highly incensed over reports that Mr. Kennedy had decided to appoint Mr. Reeves as a commissioner.

They were Representatives John L. McMillan of South Carolina, chairman of the District of Columbia committee, who is referred to as the Mayor of Washington, and Thomas G. Abernethy of Mississippi, the second ranking Democrat on that committee.

In addition to McMillan and and Abernethy, Representative Howard W. Smith of Virginia chairman of the House Rules committee, who fought the change, and Representative James C. Davis of Georgia, an admitted former member of the Ku Klux Klan are members of the District of Columbia Committee.

Other Southerners on the committee, all of whom are believed to have been bitterly opposed to a colored person being appointed a District Commission, include Representatives John Bell Williams of Mississippi, a spokesman for the White Citizens Councils.

Adding fuel to the opposition from this source was the fact that Mr. Reeves has been an NAACP attorney and participated in the trial of several important school desegregation cases, particularly those arising in Alexandria and Arlington county, Va.

Also there was speculation that Mr. Reeves was sidetracked because he would have become chairman of the Board if he had been appointed at this time. Some persons think he will get the next vacancy which occurs June 30 when the term of Robert E. McLaughlin, now president of the board expires.

Mr. Salinger refused any comment on this possibility. Indications were that no firm dicision had been reached.

Before the announcement Tuesday evening, Mr. Tobriner had been considered a likely candi- By being named now, Mr. Tobriner is expected to become president of the Board of Commissioners. Mr. McLaughlin, a Republican, who is the president, is expected to step aside for him.

Mr. Salinger said Mr. Reeves will "handle a variety of duties," including work in the civil rights field.

Mr. Reeves was elected District of Columbia Democratic National Committeeman last May. He ran on a slate pledged to support Senator Hubert Humphrey of Minnesota for the Democratic Presidential nomination.

When it became apparent that Senator Humphrey was getting nowhere fast, Mr. Reeves switched his support to Senator Kennedy. After Mr. Kennedy was nominated, he traveled with him as one of his advisers.

Negro Named To Civil War Commission

Atlanta Daily World

WASHINGTON — (UPI) —President Kennedy Tuesday named the first Negro member of the Civil War Centennial Commission.

Rec'd 9-6-61

His selection was Roy K. Davenport of the District of Columbia, special assistant to the undersecretary of Army for personnel. Davenport will continue in his Pentagon job.

Atlanta, Ga.

Davenport was named to a vacancy created by the resignation of Dewey Short, former assistant secretary of the Army. Davenport has been on the civilian professional staff of the Army adjacent general for 18 years.

Predict Eastland To Fight Marshall's Judgeship Bid

WASHINGTON — Early adjournament of the Senate will stave off until next year an expected fight over the nomination of Thursgood Marshall to the Second U. S. Circuit Court of Appeals.

The nomination by President Kennedy was announced Saturday from his Hyannis Port, Mass., retreat.

Marshall, special N A A C P counsel and one of the nation's strongest voices f o, r racial equality, will square off with Sen. James O. Eastland, D-Miss., an equally strong defender of the cause of segregation, when his name comes up for confirmation.

Eastland heads the powerful Senate Judiciary committee which gets the first shot at U. S. judicial appointments. It is public knowledge that there is no lost love between Eastland and Marshall.

KEY FIGURE

Marshall, 53, has been a key leader in the legal fight for desegregation of public schools in the south. He pleaded the cases which resulted in the U. S. Supreme court's 1954 ruling that Negroes must be admitted to public schools.

Because Kennedy sent the peals.

the waning hours of Congress, confirmation was out of the question until next year. But White House press secretary Pierre Salinger said Kennedy would give Marshall an interim appointment so that he could assume the $25,500 a y e a r judgeship promptly.

The second judicial circuit covers the states of New York, Connecticut and Vermont. Marshall, a Democrat, is a native of Baltimore, Md., who has been a resident of New York City for some years.

Kennedy also nominated seven new district judges, all Democrats, in a last-minute barrage of appointments as Congress prepared to c l o s e down for the year. These, too, Salinger said, could expect interim appointments pending Senate confirmation next year.

Marshall is the third Negro named to the federal bench by Kennedy, who previously selected nominees of that race for district judgeships in Michigan and Illinois.

If confirmed by the Senate, Marshall would be the second Negro to occupy an appellate judgeship. The first, still serving, is Judge William Hastie of the Third Circuit Court of Appeals.

MARSHALL GETS HIGH JUDGESHIP

Named to U.S. Appellate Court in New York

BY WHITNEY SHOEMAKER

HYANNIS PORT, Mass. (AP)—President Kennedy Saturday risked new controversy with Southern Democrats by nominating Thurgood Marshall, Negro integration leader, to a high federal judgeship.

Marshall, who has argued the civil rights case for Negroes in court since 1938, was chosen for the U.S. Second Circuit Court of Appeals in New York.

The appointment was not unexpected, but neither was it announced until Congress headed into the closing hours of its 1961 session. The Senate must confirm Marshall's nomination, and it must pass first through the judiciary committee headed by Sen. James O. Eastland (D-Miss.), who has long been identified with the most adamant Southern foes of racial desegregation.

White House press secretary Pierre Salinger, here for the week end with the President, said Kennedy would submit Marshall's name again on an interim basis after Congress adjourns. This step would be necessary for Marshall to serve on the federal appellate bench until the Senate with hardly time left this session, acts on the nomination next year.

Kennedy made public his selection of Marshall, veteran lawyer for the National Association for the Advancement of Colored People, on the first full day of his 13th straight week end on Cape Cod.

Mist hung over Nantucket sound as Kennedy embarked Saturday afternoon on a short cruise aboard his 52-foot motor yacht, the Marlin.

On return, Kennedy concentrated once more on the crucial speech he will deliver Monday morning to the United Nations General Assembly.

It was understood the death of U.N. Secretary General Dag Hammarskjold in a plane crash in Northern Rhodesia last Sunday has prompted Kennedy to place new emphasis on the United Nations structure in drafting his address.

Kennedy may also be more specific about U.S. proposals for maintaining a strong United Nations leadership than he had planned before Hammarskjold was killed. The U.S. hopes to gain support for an effective U.N. executive from nations avowedly noncommitted in the worldwide East-West struggle.

The sudden death of Hammarskjold has given Russia an opportunity to force its campaign against the U.S. stand for an independent U.N. secretariat.

The East-West crisis over Berlin and possible avenues toward controlled disarmament also will figure in Kennedy's speech, now scheduled for Monday at 10:30 a. m. (EST).

Kennedy plans to fly from Hyannis to New York late Sunday afternoon (4:30 p. m. EST) and travel immediately by motorcade from La Guardia Airport to an uptown hotel (Carlyle).

TO WORK ON SPEECH

He will stay there overnight to write the final phrasing into his speech text. He may confer with secretary of state Dean Rusk and UN ambassador Adlai Stevenson in his hotel suite.

Kennedy will see others before leaving New York around noon on Tuesday for Newport, R. I., where he will spend the remainder of the week.

He expects to talk with Prince Norodom Sihanouk, the Cambodian leader, on Monday and President Arturo Frondizi of Argentina on Tuesday morning.

The President received his regular intelligence briefing Saturday morning from Capt. Tazewell Shepard, his naval aid. For his off hours, he had the company of Mrs. Kennedy and their two children, who have been on Cape Cod most of the summer.

Marshall was one of eight judges nominated. The others were to federal district judgeships, bringing to 40 the number of new posts filled among the 63 created by Congress this year. Marshall was the 10th and last named to new circuit court seats.

The 53-year-old Negro from Baltimore first linked himself with the NAACP in 1936. Since 1950 he has been director-counsel of its legal defense and educational fund. He pleaded the Negroes' side in supreme court arguments that resulted in the 1954 public school desegregation decision and all the key high court cases in that field since then.

Marshall is a Democrat. As circuit judge, he will receive $25,500 a year.

Kennedy also nominated Paul Geren, 47-year-old career foreign service officer from El Dorado, Ark., as deputy director of the Peace Corps.

Thurgood Marshall Precept Is That Of 'Social Engineer'

New York, Sept. 24 (AP) — Thurgood Marshall is the quiet, q u i e t, scholarly courtroom voice of the National Association for The Advancement of Colored People.

Nominated S a t u r d a y by President Kennedy as a federal appellate judge, he is known to the Negro press as "Mr. Civil Rights."

As chief counsel of the N.A.A.C.P. since 1938, he has argued civil rights cases before the United States Supreme Court at least 30 times and has won in all but three instances.

The 53-year-old son of a dining-car steward and a schoolteacher, he was named Thoroughgood at his birth in Baltimore July 2, 1908.

Tired of Spelling It

"By the time I reached the second grade, I got tired of spelling all that out and had shortened it to Thurgood," he explained.

Marshall first became acquainted with the United States Constitution in high school. His academic work was excellent but his behavior was prankish. As punishment, he was ordered repeatedly to the basement to memorize a section of the document that was to underlay his future career.

"In two years," he recalls, "I knew the whole thing by heart."

Marshall later went to Lincoln University in Chester, Pa., and to Howard University Law School in Washington, where he was graduated at the top of his class.

He is a big, heavy man—210 pounds on a 6-foot-2 frame with a hooked nose, mustache and a constant frown that gives him a fierce appearance that belies his manner.

In court, Marshall pleads his case for racial equality in straightforward fashion, never with histrionics or bombast, self-righteousness or pedantry.

The subdued, learned voice that has won major triumphs for members of his race in his fight for equal rights in schools, politics, housing, employment, transportation, and public places could well be that of a sociologist.

As a matter of fact, Marshall still lives by the rules of vision of a special hero—Charlie Houston, now deceased, who headed the law school at Howard.

"Charlie Houston taught us all that we should be 'social engineers,'" Marshall remembers.

The lawyer mastermind of the Negro drive for racial equality is a far different man out of court.

Friends say he revels in raucous banter, tells funny stories loudly and with gusto, using a Negro dialect that never creeps into his public utterances.

Marshall has been married twice. After the death of his first wife, he wed Miss Cecile Suyat, a secretary in the N.A.A.C.P. New York office. They have two children, 5 and 3 years old. There were no children from the first marriage.

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FRANK D. REEVES,(NAMED COMMISSIONER DISTRICT OF COLUMBIA) WITHDRAWAL OF NAME

Staff Urged Withdrawal, He Admits

Future Plans Await Talk With Kennedy; Vows Party Loyalty

By Morton Mintz
Staff Reporter

A bitter Frank D. Reeves said yesterday that he was "persuaded by members of the White House staff" to ask Persident Kennedy to withdraw his nomination as a District Commissioner.

He blamed "politically inspired" Republican attacks and a Negro lawyer's poverty that at times made it "impossible for me to meet my financial obligations with the promptness and regularity that I would wish."

Reeves disqualification reveals weakness in screening appointees. Page A 18.

Reeves said that "I did not and do not now believe" that the disclosures of his tax troubles "disqualified me to be a D. C. Commissioner."

Voices Loyalty to Party

He spoke out in a prepared statement marked by renewed expressions of loyalty to the Democratic Party and gratitude to friends who asked forgiveness "for letting you fight our battle without financial support."

"Whatever else I do," he said, "I expect to continue as Democratic National Committeeman for the District and with the help of the wonderful people in this city to press for home rule and to do my part to assure a Democratic victory in 1964."

Reeves said of the White House staff members that "in their considered judgment failure to withdraw my nomination would be embarrassing to the President under the circumstances.

"The President did not make this request of me and I have not discussed with him personally either my nomination or its withdrawal."

Awaits Talk with President

Although Reeves did not deal explicitly with the confgusion about whether he remains as a special assistant to the President, he did say:

"As to my future plans, I am waiting to talk with President Kennedy." The President will return Wednesday from a Cape Cod holiday.

"I may take some time off for a much-needed and long overdue rest," the 45-year-old lawyer continued. "My immediate plan is to return to my law firm."

Reeves found it "significant that the only witness who testified against me was the District of Columbia Republican Chairman."

This was a reference to Carl L. Shipley, who charged that Reeves' "careless handling of his own tax affairs hardly recommends Mr. Reeves as a proper official to supervise tax affairs in the Nation's Capital."

The District Committee confirmation hearing and a check of District Court records showed that eight tax liens had been filed against Reeves. It was also established that Reeves field his 1952 Federal income tax 4 years late and mailed his 1960 return a few hours after the hearing.

In addition, Sen. J. Glenn Beeall (R-Md.) expressed concern about a report that a loan had been made to Reeves to help him buy a $47,000 home on 16th st. nw.

The lender was identified as Milton S. Kronheim Sr., a wholesale liquor dealeer who has declined to comment on the matter.

As a Commissioner, Reeves would have supervised the Alcoholic Beverage Control Board.

Telegram From Kronheim

Reeves issueed his statemeent from his office in the Executive Office Building. On some filing cabinets was a huge blowup of a telegram dated June 22—the day after Mr. Kennedy announced he would nominate Reeves—and addressed to Reeves at his home at 3934 New Hampshire ave. nw. The text:

"Congratulations and best wishes in a great big way. Milton Kronheim."

Sees Work of Foes

Reeves said:

"I know the attacks on me have been politically inspired. . . . The effort to embarrass me and the Admiinstration is the handiwork of long-time political foes who hope they can forestall fair Negro representation in the Government of the District of Columbia.

"This is consistent with the fact that during the last 8 years of Republican Administration there was no Negro appointed as D. C. Commissioner, there was no Negro president of the School Board, there was no Negro head of the local housing agency, there was no Negro chief of a division in the U. S. Attorney's office. Further, there has never been a Negro elected or appointed to the Republican National Committee from the District of Columbia.

"I am satisfied that this Administration will not permit these attacks upon me to dissuade them from appointing qualified Negroes to the D. C. Board of Commissioners and other responsible positions in the local government."

"Mistake of Being Poor"

Reeves would have become the first Negro District Commissioner. The foremost candidate now, John B. Duncan, District Recorder of Deeds, is also a Negro.

The Reeves statement continued:

"In short, this issue in which I have been involved is far more political than moral.

"If I made any mistake, it is the mistake of being poor. For this I do not apologize.

"I have always given fully of my time and energy to civic, racial and political causes for which I received no pay and for which I expected none.

"Being chairman of the Legal Redress Committee of the local NAACP, spending days, months, and years working on school desegregation and other civil rights cases, often traveling at my own expense. aking time off from my law practice campaigning for Democratic candidates here and throughout the country represent the pooroest ways in the world to get rich.

"We Negro lawyers don't have the fat retainers from large corporations and other wealthy clients which are available to white lawyers. Even those who devote all of their time to profitable activities must depend mainly on $25 and $50 cases."

Acknowledges Debts

Admitting that it was impossible at times to pay his debts promptly, Reeves said there was none "that I did not acknowledge and ultimately pay.

"At least this experience of being poor makes me acutely aware of and sensitive to the conditions fo poverty which underlie so many of our community problems.

"Yet disclosures stemming from my frequent lack of funds were used to disqualify me for the post of Commissioner. The reasoning is hard to follow."

Reeves said he has always been wililng to disclose fully his personal and family financial affairs "because I have nothing to hide."

He said he is anxious that his friends and supporters know that his withdrawal requests "was not motivated by any desire to avoid full disclosure or considerations of any matter in my personal affairs."

Reeves would not elaborate on his statement and declined to answer any questions.

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D.C.

DEC.
JUDGE J. SKELLY WRIGHT- APPOINTED
UNITED STATES COURT OF APPEALS

WRIGHT IS NAMED TO APPEALS COURT

Judge in New Orleans Case Will Succeed Prettyman

By PETER BRAESTRUP

Special to The New York Times.

WASHINGTON, Dec. 15 — The appointment of Federal District Judge J. Skelly Wright, who ordered the desegregation of the New Orleans schools in 1960, to the United States Court of Appeals was announced today by President Kennedy.

Judge Wright, 50 years old. A native of Louisiana, will succeed Judge E. Barrrett Prettyman. 70, who said today he was retiring from the Appellate Court.

Judge Wright and his family have been targets of repeated attack by Louisiana segregationist leaders because of his prominent part in furthering integration in New Orleans.

On behalf of the President, Byron R. White, Deputy Attorney General made the offer of the Appellate post to Judge Wright a week ago. Judge Wright weighed the offer for several days, because he was concerned over relinquishing the role he has played in the New Orleans segregation battles.

Case Burden Eased

One factor that persuaded him he could properly leave was that his court, the Federal District Court for the Eastern District of Louisiana, was recently increased from two to four judges, easing the burden of racial cases.

Mr. White told Judge Wright that Attorney General Robert F. Kennedy had considered the possible effect of the jurist's promotion on the New Orleans situation and decided that Judge Wright could serve more usefully in Washington.

Last summer, Judge Wright was in line for one of two vacancies on the Fifth Circuit Court of Appeals, which covers most of the South and hence handles most of the segregation cases appealed through Federal courts.

However, Senator Russell Long of Louisiana served notice to the White House that he would block Senate confirmation of Judge Wright's appointment to that court if it were made. He is expected, however, to win confirmation for the court here.

Appellate Bench Busy

Judge Wright's elevation to the nine-member Court of Appeals here brings him to one of the busiest Appellate Courts in the land, with a heavy load of criminal cases and reviews of decisions of Federal regulatory agencies. Civil rights cases are few.

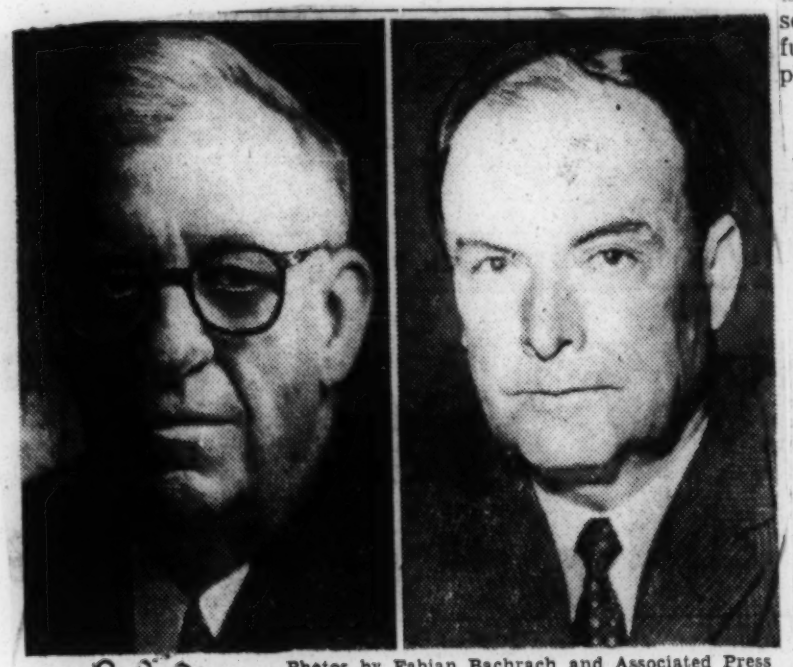
In a series of decisions between 1954 and 1960, Judge Wright desegregated the professional schools of Louisiana State University in New Orleans, desegregated the buses, opened the city's parks to Negroes, restored the names of hundreds of Negroes to the voting lists, and upheld interracial sports events.

On May 16, 1960, he ordered the implementation of his own plan of desegregation in New Orleans public schools—a grade a year, beginning with the first. He took this action after the city school board failed to come up with its own plan. He had ordered its members four years earlier to proceed with "all deliberate speed" to do so.

Ot the time, Judge Wright's friends said that he did not act out of private beliefs necessarily, but out of conviction that the law of the land, as he construed it, had to be upheld.

The law was second choice to him. He taught at Frontier High School in New Orleans for two years after graduation from Loyola University Law School. He also had his undergraduate training at Loyola in 1935. He was appointed an assistant United States Attorney. During World War II he served as a Coast Guard officer.

After post-war private practice, he was named United States Attorney in New Orleans. In 1949, President Truman approved him to the bench where he has served since.



Photos by Fabian Bachrach and Associated Press

JUDGE PRETTYMAN JUDGE WRIGHT

Judge Prettyman to Retire

Judge E. Barrett Prettyman of the United States Court of Appeals will retire and is expected to be replaced by United States District Judge J. Skelly Wright of New Orleans. Judge Prettyman, 70, has been a member of the court for 16 years. Story on page A1.

WRIGHT TO D.C. APPEALS COURT

Ellis May Get District Bench Here, Report

SAN JUAN, Puerto Rico (AP) — President Kennedy Friday promoted federal district judge J. Skelly Wright—who handed down a controversial school integration ruling for New Orleans—to the circuit court of appeals for the District of Columbia.

The President announced the appointment while acknowledging the retirement of judge E. Barrett Prettyman from the Washington circuit bench.

White House press secretary Pierre Salinger announced the appointment shortly after the President and Mrs. Kennedy arrived in San Juan on the first stop of their weekend Latin American visit.

By EDGAR POE

(Times-Picayune Staff Correspondent)

WASHINGTON — The White House said Friday that President Kennedy will nominate district federal Judge James Skelly Wright of New Orleans to the United States Court of Appeals, the District of Columbia, to succeed retiring Judge E. Barrett Prettyman.

There were reports in Washington that Frank B. Ellis, director of the office of Emergency Planning, and a New Orleans attorney in private life, is under consideration to succeed Judge Wright in New Orleans.

The White House said there would be no comment at this time as to a probable successor to Judge Wright, who was nominated to the district court by President Harry S. Truman and confirmed by the Senate in 1949.

Ellis' office in the executive building is across a narrow street from the President's office on the White House grounds. Ellis came to Washington early this year through appointment of President Kennedy. He headed the Kennedy for President campaign in Louisiana in 1960.

ELLIS COMMENT BRIEF

When asked about the judgeship reports, Ellis said he came to Washington in January "to assist President Kennedy in the development of the National Civil, Defense and Emergency Planning program."

"I am gratified with the progress we have made in this area so far," said Ellis. "The time is approaching when personal considerations require further thought of my future plans."

"There are a number of reasons why I wish to return to Louisiana when I have fully discharged the obligation which I came to Washington to perform but pressures involved and the development of these programs have prevented me from making this personal decision to the present time. I have no further comment on this subject until after the first of the year when I have had the chance to confer with President Kennedy.

Coming to Washington would not be a new experience for either Judge Wright or Mrs. Wright, who is the former Miss Helen Mitchell Patton of Washington. He is a member of the Army-Navy Club and the Chevy Chase Club of Washington.

Judge Wright, who will be 50 years old Jan. 11, has been a district judge for the Eastern Louisiana district since 1949. He was recommended for the post by Sen. Allen J. Ellender of Louisiana. When Judge Wright was a high school teacher in New Orleans, Russell B. Long, now Louisiana's junior senator, was one of his students.

SCHOOL CASE RULINGS

Judge Wright, because of his series of rulings in connection with the controversial public school desegregation cases at New Orleans, has been a controversial figure in some quarters because of the emotional issues involved.

His scheduled appointment by the Kennedy administration to a higher court is perhaps a recognition by the White House and Department of Justice for his controversial rulings on the sensitive issue.

Judge Wright received his law degree from Loyola university in 1934 and was assistant US district attorney of the Eastern Louisiana district from 1937-46. He practiced law in Washington from 1946-48. He returned to New Orleans in 1948 to serve as assistant US district attorney, a post he held at the time he was nominated for the judgeship.

Judge Prettyman said that while he is retiring from active service on the bench in the nation's capital, he hoped that he will receive some future appellate court work at New Orleans. He made it clear that New Orleans is one of his favorite cities. He said he and Judge Wright are good friends and that they have worked together for a number of years on a judicial conference committee.

"I'm 70 years old, I've been on the court for 16 years, and I'm eligible for retirement," said Judge Prettyman. "But I do not plan to quit work entirely."



JUDGE J. SKELLY WRIGHT



FRANK B. ELLIS

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D.C.

Atty. FRANK D. REEVES

Sad About Candidacy Of Reeves

Withdrawal Of Name Asked By Attorney —Billed For Taxes

Special to Journal and Guide

WASHINGTON — A saddened President John F. Kennedy on Thursday began casting about for a new person to nominate for a member of the District of Columbia Board of Commissioners, the three-man group that administers municipal affairs here.

Mr. Kennedy was disappointed because he had been forced to withdraw the name of his friend of long standing, Frank D. Reeves, a lawyer member of the Democratic national committee from the District, an aide in Mr. Kennedy's presidential campaign, and a White House assistant to the President until nominated for commissioner.

THE TROUBLE came about when the Senate committee on the District of Columbia delved into Mr. Reeves' tax records and learned that he had been billed for delinquent income taxes three times in recent years. The amounts were $64.17, $51.33 and $624.40.

This embarrassment was followed by a letter to Mr. Kennedy from Mr. Reeves, who asked withdrawal of his name for confirmation by the Senate.

PIERRE SALINGER, presidential press secretary, said that Mr. Kennedy knew nothing of Mr. Reeves' tax troubles when he nominated him for one of the three highest posts possible in District government. Mr. Salinger made it clear that Mr. Kennedy did not suggest the withdrawal.



FRANK D. REEVES
No Nomination For Him

Mr. Reeves proposed to Mr. Kennedy that John B. Dungan, District recorder of deeds, be nominated for the commission. Mr. Dungan is colored.

THE PRESS secretary said that Mr. Kennedy would "seek a qualified replacement."

White House aides were concerned because of the possible damage to Mr. Reeves' career and possible resentment here among colored residents, who make up more than half of the population.

Mr. Reeves Bows Out

Frank D. Reeves, picked by the President to be District Commissioner, did the proper and necessary thing in asking that his nomination be withdrawn—a request with which Mr. Kennedy promptly complied.

In his letter, Mr. Reeves indicated that he was withdrawing because a question of conflict of interest had been raised—the conflict arising from the fact that he is a Democratic National Committeeman for the District. He said he desired to remain in this latter post, and that is a matter between him and the District Democrats.

No mention was made of the tax difficulties revealed in the course of the Senate District Committee's hearing on the nomination. It was this record, however, which made it necessary to withdraw the nomination. For even if one accepts Mr. Reeves' explanations at face value, the delinquencies shown and admitted made it impossible for him to serve in a top governing post in the Nation's Capital.

Obviously, this is a source of embarrassment to President Kennedy. But it is also an embarrassment which could have been avoided. The President's press secretary says Mr. Kennedy did not know of the tax delinquencies when he sent Mr. Reeves' name to the Senate, and this doubtless is true. The facts could easily have been ascertained, however, had a proper investigation been made prior to the nomination. The post of District Commissioner is an important one—too important for slipshod methods. We hope the regrettable experience in Mr. Reeves' case will result in adequate investigation of all prospective nominees in the future.

34c(1) 1961 D.C.

ATTY. OLIVER W. HILL
ASSISTANT TO THE COMMISSIONER OF THE
FEDERAL HOUSING ADMINISTRATION

Oliver Hill named to key FHA post

WASHINGTON, (NNPA)—Oliver W. Hill of Richmond, Va., an NAACP lawyer, was sworn in Wednesday as assistant to the commissioner of the Federal Housing Administration in charge of the Intergroup Relations Service.

The oath was administered to Mr. Hill by Commissioner Neal J. Hardy in the presence of Mrs. Hill, their son, Oliver Jr., a number of FHA officials, and friends of Mr. Hill.

Also present were Frank D. Reeves, a special assistant to President Kennedy, and Louis C. Martin, a top official of the Democratic National Committee.

The brief ceremony took place in Mr. Hardy's office, after which Mr. Hill was introduced to FHA officials attending the swearing-in.



OLIVER HILL

Oliver Hill

Before administering the oath, Mr. Hardy said Mr. Hill "comes as highly recommended as anybody could be for this job."

"Mr. Hill's vast legal and civil experience make him a valuable member of my staff and an asset to the effectiveness of our effort to provide adequate housing for all Americans," the commissioner stated.

THE INTERGROUP Relations Service is primarily concerned with housing and related problems affecting minority and ethnic groups.

As assistant to the commissioner, Mr. Hill will serve as an advisor on policy matters in connection with FHA's efforts to broaden the market of available housing opportunities for all Americans. The post has been vacant.

Mr. Hill, a World War II veteran and a former member of the law firm of Hill, Martin and Robinson in Richmond, was one of the attorneys in the Prince Edward County school segregation case, one of five cases in which the Supreme Court on May 17, 1954, outlawed racial segregation in public schools.

A Howard University graduate and a recipient of the university's alumni award for distinguished postgraduate achievement in law in 1950, Mr. Hill received his bachelor of arts degree in 1931 and his law degree in 1933.

He has been a member of the Richmond bar since 1932. He also is a member of the Virginia State Bar Association, the National Bar Association, and a past president twice of the Old Dominion Bar Association, a state - wide organization of colored lawyers. He served one two-year term as a member of the Richmond City Council.

34c(1) 1961 D.C.

PEACE CORPS POST

LOUIS E. MARTIN
ASSISTANT TO R. SERGEANT SHRIVER,
DIRECTOR OF THE PEACE CORPS

CHRONICLE PUBLISHER

The Louisiana Weekly
New Orleans, La.

Louis Martin Gets Peace Corps Post

WASHINGTON, D.C.—Louis E. Martin, 48, was named here as an assistant to R. Sergeant Shriver for liason between the new Peace Corps, the U.N. and other international agencies.

Dat. 3-25-61
P. 2

Martin has most recently been working with the civil rights section during the Kennedy campaign and later with the Democratic National Committee as a civil rights advisor.

Prior to his campaign efforts, he served a year in Lagos, Nigeria, as editorial advisor to the Amalgamated Press of Nigeria, and established a flourishing Sunday newspaper and a news agency for West Africa.

He also helped the new nation set up a television news service.

For most of his working journalistic career, he was editor-in-chief of the Chicago



LOUIS E. MARTIN

Defender newspapers and publisher of the Michigan Chronicle.

Name Martin To Peace Corps

Chicago Defender
Chicago Ill.

WASHINGTON D. C. — Louis E. Martin, 48, was named here as an assistant to R. Sergeant S river for liason between the new Peace Corps, the U. N. and other international agencies.

DK 3-18-24)-61

Martin, Chicagoan, has most recently been working with the civil rights section during the Kennedy campaign, and later with the Democratic National Committee as a civil rights advisor.

Prior to his campaign efforts,



LOUIS MARTIN

he served a year in Lagos, Nigeria, as editorial advisor to the Amalgamated Press of Nigeria, and established a flourishing Sunday newspaper and a news agency for West Africa. He also helped the new nation set up a television news service.

For most of his working journalistic career, he was editor-in-chief of the Chicago Defender newspapers and publisher of the Michigan Chronicle. He first joined the Defender in 1936 at the behest of its founder, Robert S. Abbott, after graduating from the University of Michigan, spending a year in study in Cuba, and doing post graduate work at the U. of M

He built the Michigan Chronicle into a lively, strong newspaper, the best known weekly in the area, and lived in Detroit nearly 10 years.

He is also vice-president of the Guaranty Life Insurance company Savannah, Ga., and a member of the board of directors of Service Federal Savings and Loan Associations in Chicago.

He has served as a president of the National Newspaper Publishers Association.

34c(1) 1961 D.C. NOVEMBER

Speedy Confirmation Expected

Duncan Endorsed by Committee

John B. Duncan yesterday won the unanimous endorsement of the Senate District Committee to become the first Negro Commissioner for the District.

Sen. Alan Bible (D-Nev.), committee chairman, reported the nomination of Duncan, now District Recorder of Deeds, to the Senate following an unusually warm and harmonious hearing.

Bible said he hoped for "speedy Senate confirmation" of Duncan, perhaps Thursday.

Duncan expressed himself as "gratified" by the unanimous support he received at yesterday's hearing from business, labor, professional and citizen groups, both Negro and white. There was no opposition.

He said:

"I am very happy things went as well as they did T.he fact that there was no opposition will strengthen my chances to do a good job for the people of the District."

Widely Endorsed

In addition to the wide support of those who testified to Duncan's integrity, civic record, humanitarian qualiability, Sen. Bible said he had received 400 letters and telegrams endorsing the nomination.

Duncan 51, was assured of a friendly hearing almost immediately after his negative answers to questions posed by Bible and Sen. Jack Miller (R-Iowa).

Bible asked if he had any tax problems, past or present, with the District or the Federal Governments. Duncan replied that he had not and had requested the Federal Government to review his tax record.

Miller asked whether Duncan planned any partisan political activity when he became Commissioner and the nominee said no.

The abortive hearing three weeks ago on the nomination of Frank D. Reeves, city Democratic National Committeeman, foundered on both points. His nomination for the commissioner's post later was withdrawn.

Beall Backs Nominee

Sen. J. Glenn Beall (R-Md.) warmly endorsed the nominee. Miller said he was grateful that President Kennedy had submitted the name of a career civil servant for the post. Then both left the hearing.

Duncan is now capping a career of Government service that has spanned 27 years.

Setting what probably will be a precedent for future appointments to District positions, Duncan submitted a detailed statement of his finances. It showed that he has a $5000 equity in a home purchased for $19,000 five years ago; a 1956 automobile worth about $750; various life insurance coverage exceeding $57,000, including a family protection policy; an income of $12,730 a year (which will go to $19,000 when he is confirmed); and liabilities consisting largely of $12,500 in notes on his home.

D. C. Commissioners raise real estate tax to $2.50. McLaughlin praised at Duncan confirmation hearing. Other details of hearing and picture. *Page C1.*

'Tremendous Challenge'

Duncan, when asked by Bible to give a brief statement of his "philosophy of government" noted both the "tremendous challenge and opportunity" the post afforded him. He added that he favors the use of "task forces" to expose government waste, but conceded that while this could lead to economies, there was the responsibility to provide services for all the people of the district. He was concerned, he said, with maintaining the solvency of the District government.

Sen. Hubert Humphrey (D-Minn.) appeared in support of Duncan, as did Drew Pearson, newspaper columnist, as president of "Big Brothers," an organization dedicated to fighting juvenile delinquency among other services for youth. Pearson said Duncan had been of invaluable assistance in the program.

Carl L. Shipley, Republican City Committee chairman, whose testimony helped scuttle Reeves' nomination, submitted a statement read into the record endorsing Duncan's nomination.

The statement was read by Philip A. Guarino, a member of the District Citizens Advisory Council, who also endorsed Duncan.

The Rev. E. Franklin Jackson, pastor of the A.M.E. Zion Church, Duncan's pastor, said Duncan's family name has been "synonymous with educational and religious leadership for years."

Praised by Many

Former District Commissioner F. Joseph Donohue and J. C. Turner, president of the Greater Washington Central Labor Council lauded Duncan as an "excellent" choice and a "selfless public servant."

Endorsements for the Howard University graduate—who has won 13 awards for community service — also came from Dr. R. Frank Jones, past president of the Washington Urban League; Ida Taylor, of the Virginia White Speel Republican Woman's Club Charles R. Norris, Northeast Boundary Civic Association; Charles E. Phillips, president of the Equitable Life Insurance Co. and Bernard D. Chapman of the Business and Professional Men's Association.

Marshall L. Shepherd, councilor-at-large of the city of Philadelphia, former Recorder of Deeds here, also praised Duncan, as did Dr. Joseph L. Johnson president of the Medico-Chirurgical Society here, and Alfred Goldstein, District Superintendent of Corporations.

Thorough Check Begun

Duncan Favored As Commissioner

WASHINGTON (ANP)—As speculation resumed as to who will be the first Negro to be confirmed as a district commissioner, Washingtonians found themselves unable to resist the temptation to delve further into what happened to Frank D. Reeves.

Those trying to anticipate who President Kennedy would nominate for the spot settled upon two names: District Recorder of Deeds John B. Duncan and Walter Washington who has just been confirmed as director of the National Housing Authority.

Though Duncan seems to be favored over Washington, there is strong feeling here that Reeves did Duncan no favor when he suggested him as his replacement.

As one politician observed:

"Reeves is so thoroughly discredited at the moment that recommendation from him could be a kiss of death."

It was apparent that the administration was determined not to report its failure to check on the background of a nominee. A thorough investigation of Duncan's background has already been undertaken by the FBI.

Reached in Salisbury, N. C., late last week, Duncan said that he is not campaigning for District Commissioner but would serve if asked.

A reporter asked if he had ever had any income tax troubles. "Of course not," he replied. He added that the Internal Revenue Service has never even called him in to discuss his returns.

Roberta Church Aged Consultant

WASHINGTON — Appointment of Miss S. Roberta Church, of Memphis, Tenn., as consultant on rehabilitation of the aging disabled was announced Saturday by Miss Mary E. Switzer, Director of the Office of Vocational Rehabilitation.

Miss Church will be responsible for planning and developing a nation-wide program for the rehabilitation of older handicapped people. The program will include provision of consultative services to [illegible] staff and [illegible] State rehabilitation agencies regarding improvement and expansion of rehabilitation services for such persons; promotion and review of research projects; development of training programs and conferences to make the general public more aware of the problems of the aged, and to increase their employment and social opportunities.

For the past seven years Miss Church has been employed as consultant in the Bureau of Employment Security, U. S. Department of Labor. Prior to that she was engaged in social work with child welfare and public assistance agencies in Chicago.

Miss Church graduated from La Moyne High School in Memphis and earned B. A. and M. A. degrees at Northwestern University in Evanston, Ill.



MISS S. ROBERTA CHURCH



AMERICANS IN EGYPT — Dr. and Mrs. Hugh Gloster were recently the guests of Dr. and Mrs. Voyce Mack for four days in Cairo, Egypt, where Dr. Mack is Program Officer for the United States Operations Mission at the American Embassy.

While in Cairo the Glosters were en route from Tanganyika, East Africa, where they had served for three months with the State Department as American Specialists in English, to Warsaw, Poland, where Dr. Gloster will be Visiting Professor of American Literature during the school year beginning in October. Dr. Gloster is the first American to hold such a full-time assignment in the State Department's International Educational Exchange Program since the dropping of the Iron Curtain.

The visit of the Glosters with the Macks was a reunion of Hamptonians. Mrs. Gloster and Dr. and Mrs. Mack are graduates of Hampton Institute, while Dr. Gloster is on leave from his duties as chairman of the Department of Language and Literature and director of the Summer Session at that college.

During the Gloster's stay in Cairo, the Macks gave a cocktail party and dinner in their honor at the Mack's beautiful home in suburban Maadi.

Left to right in photo: Dr. Gloster, Mrs. Mack, Mrs. Gloster and Dr. Mack.

34c(1) 1961

NOVEMBER

D.C.

No. 2 Press Aide

New York Times 6/6 Mon 9-4-61

Andrew Thomas Hatcher

Special to The New York Times.

HYANNIS PORT, Mass., Sept. 3—Andrew Thomas Hatcher is a self-styled "professional second man" and is proud of it. He is equally proud that he is a professional Democrat who gave up golf for his party and abandoned California for the uncertain rewards of Washington.

Man in the News

Mr. Hatcher's willingness to play a second political fiddle, and his devotion to the Democrats, resulted last winter in his designation as assistant White House press secretary, one of the first six appointments made by the newly elected John F. Kennedy.

It was Mr. Hatcher, in a rare appearance as No. 1 man, who announced here today the details of President Kennedy's new proposals on nuclear weapons testing. His accustomed chief and long-time friend, Pierre Salinger, was on vacation, leaving the spotlight to Mr. Hatcher.

The legacy is not particularly welcome. "The trouble with this job is the overexposure," Mr. Hatcher confided. "I get it from you guys if I go wrong. And I get it from the President on the other side."

Mr. Hatcher's demeanor does not usually betray these twin pressures. He is easy-going and soft-spoken, and he breaks easily into a smile. He holds himself to four or five fat cigars a day, in comparison with the fifteen or so consumed by Mr. Salinger.

In Demand as Speaker

Mr. Hatcher, who is 38 years old, has value to the Administration beyond the performance of his official duties. As one of its highest-ranking Negro appointees, he is in demand as a political speaker.

He does frequently "get it" from the White House press corps, some members of which regard him as careless. Others believe that he is not kept so well informed as is Mr. Salinger.

His chief duty is to do the research for and to write the White House press releases. He once prepared a release referring to a graduate of "Tuffs" University, referring to Tufts. That inspired one newsman to write that the document must have been prepared by a "holdover from President Taff's Administration."

He put in twelve to fifteen hours a day at work, six and seven days a week.

On a bar stool Mr. Hatcher is unorthodox. He likes gin and ginger ale.

His colleagues give him credit for being all business about his job. He is also appreciated for a sense of humor that frequently shows itself at moments of tension. At the 1960 Democratic convention in Los Angeles, while violence was breaking out in the Congo, Mr. Hatcher appeared in the Kennedy press office wearing a pith helmet and announced himself as ready to be the ambassador to the Congo.

Mr. Hatcher was born June 19, 1923, in Princeton, N. J. He grew up there and attended the Princeton schools, but went to Springfield College at Springfield, Mass., on a scholarship. In 1943, after two years there, he entered the Army. He was discharged as an officer in 1946 and returned to Springfield.

During his service, he was stationed at Oakland, Calif. When, in 1947, he was offered the editorship of The San Francisco Reporter, a Negro weekly, he jumped at the chance.

The job led him into politics. In 1950 he accepted a job as an aide to Mrs. Helen Gahagan Douglas in her unsuccessful campaign for the Senate. When Oliver J. Carter, the state Democratic chairman, became a Federal judge in 1951, he made Mr. Hatcher his bailiff.

With Mr. Saliner, he worked for Adlai E. Stevenson in the 1952 and 1956 Presidential campaign.

He was assistant California Labor Commissioner when, in June, 1960, Mr. Salinger asked him to join the Kennedy team.

Mr. Hatcher and his wife Ruth have seven children.

He has established residence in the District of Columbia. He believes that the district will be represented in the Congress some day and he sees no good reason why he could not be its first Representative.

"I don't believe there's a real professional politician living in that city," he said recently. "But me—why, my whole life is politics."



Henry Grossman

Gave up golf for politics



REAPPOINTED — President Kennedy last week reappointed Andrew Howard as judge in the District of Columbia Municipal Court. Judge Howard was first appointed by President Truman.

In Capital Post Office

Herbert Waddy A "First"

Journal and Guide P.1 Sec.2 Sat. 10-21-61

Norfolk, Va.

As Assistant Postmaster

WASHINGTON, D. C.—Herbert E. Waddy, 50, who has been on the supervisory force at the city post office for 16 years, has been appointed assistant postmaster at the city post office. He is the first member of his race to get this supervisory position in the nation's capital.

A resident of 2 Adams street, north west, Mr. Waddy began his new duties at the close of business on Friday. His promotion was announced by District Postmaster Carlton C. Beall. About 65 per cent of the employes at the city post office are colored.

Mr. Waddy received word by telephone at his home that the appointment was being announced by Washington Regional Director Fergus McRee. He is now on vacation.

Mr. Waddy, a bachelor, is entering his 26th year with the city office. He has been on the supervisory force 16 years and presently is an assistant tour supervisor.

EARLIER, officials of the District branch of the National Association of Postal Supervisors had protested the planned promotion to Postmaster General J. Edward Day. Their argument was not based on race. Mr. Waddy is a member of the local.

The officials said Mr. Waddy was a Level 11 supervisor and that the appointment would jump him over 20 other supervisors who have longer service and who are in higher grades. The salary range in Level 11 is from $7560 to $9120. Waddy's new position is a Level 16, which pays from $12,205 to $14,395.

HOWARD R. Barker, assistant to regional director McRee, explained that although seniority is important, it is not always the prime consideration. "Other factors, such as qualifications, ability and aggressiveness" are considered, he said.



SOUTH AMERICA BOUND — Mrs. Maxine Dargans Flemming, chief clerk of the House Education and Labor Committee, left Friday, Nov. 10 for South America, to investigate the effectiveness of U.S. embassy labor attaches and public programs on labor. She'll also investigate methods of establishing more effective communications with labor organizations in Central and South America. Traveling on diplomatic passport, she'll visit Brazil, Uruguay, Argentina, Barbados, and Trinidad as personal representative of the committee chairman, Rep. Adam Clayton Powell.

Jack Post 'Wide Open'

The Courier
Pittsburgh, Pa.
Jan. 1-7-61

Bob Weaver Appointment Certain to Be Confirmed

NEW YORK—Robert C. Weaver (Ph.D. Harvard) is a busy man these days!

Chosen by President-elect Kennedy 10 days ago to head the Federal Housing and Home Finance Agency, his phone is ringing constantly . . . and his office is crowded by friends and well-wishers.

Weaver is taking all this in stride.

He is unconcerned over rumors that certain Southerners MIGHT oppose his confirmation.

He has no reason to worry. The Kennedy team will see that his path to the biggest Federal post ever held by a Negro is smoothed out.

Opposition will probably melt before it becomes organized.

He has refused to resign his post as chairman of the board of directors of the National Urban League. His reason:

"I will not resign until I have been confirmed."

The NAACP Board met last Tuesday . . . and Weaver's action quelled a wide open scramble for the position which he is expected to relinquish.

Politically . . . his acceptance of the Federal Post has left the name of Hulan Jack's successor as Borough President up in the air.

Weaver, who quits a $22,500-a-year post for Housing administrator . . . $21,000 a year . . . is making a financial sacrifice.

The position as Borough President is a $25,000-a-year plum.

So, he's sacrificing $4,000 to accept the most challenging job of his long career.

His departure from the New York political scene leaves turmoil in his wake. Council Minority leader Isaacs accused Mayor Wagner of "dragging his feet" in delaying action on naming Weaver as Borough President.

Weaver had also been the choice of Congressman Adam Clayton Powell and J. Raymond Jones.

The man most widely mentioned now for the position is Councilman Earl Brown, who is said to have the support of Hammany Hall.

Truly, the Weaver ripple has developed into a tidal wave, which threatens to have repercussions in Washington, New York and the Southland.

Weaver thus becomes . . . The Man with a Mission, and a Pipe!

Dr. Weaver's Opposition

The New York Times
Jan. 1-7-61

When Dr. Robert C. Weaver accepted Mr. Kennedy's nomination to be Federal Housing Administrator, he said he favored "the idea of open occupancy and nondiscrimination in housing." He could not have taken any other position if he wished to be in harmony with the Democratic platform, the campaign speeches of Mr. Kennedy, the Federal statutes and the United States Constitution.

Now it seems that Dr. Weaver's adherence to this principle is stirring up opposition to him in the building industry, especially in the South. Senator A. Willis Robertson, Chairman of the committee that will conduct the confirmation hearings, says he will oppose Dr. Weaver. The argument is that to enforce nondiscriminatory policies in the South would discourage builders from using Federal financing procedures and thus be bad for the building industry.

Dr. Weaver's Southern opponents do not admit that his Negro descent counts against him, or that they object to the post he has held as chairman of the National Association for the Advancement of Colored People. If he would undertake to forget the platform, the Presidential promises and the law of the land, he might presumably be acceptable.

We hope the President and the Senate liberals will stand by their guns. This is a test case.

DR. ROBERT C. WEAVER
HEAD-FEDERAL HOUSING AND HOME FINANCE AGENCY

Profile of R. C. Weaver

The Courier
Pittsburgh, Pa.
Jan. 1-7-61

NEW YORK—The Negro press is generally credited with applying the newspaper slogan "black cabinet" to the number of educated Negroes, long passed over for government jobs of any size, who were first recruited during the Roosevelt New Deal era. One of these—a riser, who never stopped moving upwards, was Robert C. Weaver.

Back in 1933, he was a young man fresh out of Harvard as an economist when he was paged by the Roosevelt talent scouts for a job with the title of Race Relations Advisor.

Race bias and discrimination was just about producing slight tremors of conscience in some circles, elsewhere it was the "accepted thing" on the American scene. In the early Roosevelt era, Weaver, and Negroes like him, with Federal jobs, were expected to smooth out some of the sore spots caused by racial problems in Washington.

■

THEIR PROBLEMS were made even more difficult by the prevailing climate which considered Negroes, although they paid their share of taxes, as being hardly entitled to their fair share of government spending.

Their government jobs were not made any easier by the attitude of Washington that although they housed the Lincoln Memorial and other monumental manifestations of the proclaimer of a great democracy, Negroes were rigidly considered second-class citizens, to be kept in their place.

His career in the Federal government was described as characterizing the application of brains, patience and the appeal to moral persuasion in seeking to get the proper share for Negroes of the New Deal pie of benefits provided from public funds supplied from all the people.

Along with the group he was credited with blazing the trail for an integrated Federal government.



ROBERT C. WEAVER
. . . man with a mission

HIS APPOINTMENT by President-elect John F. Kennedy to the nation's chief housing post is considered as exemplifying how far Negroes have come since the bleak days of the Depression.

Between pioneering service in the Roosevelt era and his job as a member of New York City's Housing and Development Board, he worked with such agencies as the U. S. Housing Authority, housing division of the Works Progress Administration, the National Defense Advisory Commission, the War Production Board and the Was Manpower Commission. At the state level he was a member of the New York State Cabinet as state rent administrator.

■

ALL THESE experiences have helped to earn him high marks as one of the nation's outstanding housing experts.

For the past year he has been NAACP national chairman.

Wife, Ella Haith, is an assistant professor of speech at Brooklyn College. They have a 19-year-old adopted son, Robert Jr.

He earned the distinction of authorship by his two books, "The Negro Ghetto" and "Negro Labor: A National Problem."

He is described in government circles as a level-headed public servant who combined loyalty to his duties with an abiding devotion to his country.

Weaver Explains Administration Housing Plans To Senate Group

WASHINGTON. — (ANP) — Administrator Robert C. Weaver of the Housing and Home Finance Administration laid the housing plans of this Administration before the Senate Subcommittee on Housing, this week.

Weaver, accompanied by 13 other housing officials, told the committee that the objectives of the Kennedy Housing bill are:

"To renew our cities and assure sound growth of our rapidly expanding areas."

"To provide decent housing for all our people."

"To encourage a prosperous and efficient construction industry as an essential component of general economic prosperity and growth."

Weaver told the committee that the Administration is interested in housing for elderly perosns, and for nonwhites who make up a large segment of those who lack decent shelter.

They are also interested in those "in-between" family groups whose income is too low for decent housing and too high for the low-rent public housing. This new program is designed to provide housing for an income group which has long been neglected.

This government "must devise tools to redevelop some of our slums and blighted areas in such a way as to provide housing for families of modest means as well as for those of substantial means," Weaver said.

He further recommended more public housing for the lowest income segment of our population who are forced to occupy substandard housing.

The new housing program is a combination of the old proposals and the new, stated Weaver. One of the new provisions is the no-down-payment, 40-year loan for purchasing housing.

This raised the question in the mind of Senator Paul Douglas of Illinois as to whether a house would last 40 years. He said he feared that in that length of time the buyer might be left with a mortage and no house.

Weaver Says U. S. Is Studying Subsidy of Commuter Fare Cut

Tells Chicago Parley the Housing Agency Is Also Considering Aid for Parking Facilities at End of Rail Lines

By AUSTIN C. WEHRWEIN

Special to The New York Times.

CHICAGO, Nov. 8—Dr. Robert C. Weaver, administrator of the Housing and Home Finance Agency, suggested today that the Federal Government might subsidize a cut in commuter fares as an experiment.

He said at a news conference that this was among the possible pilot projects his agency had under consideration. Another possibility is Federal aid for creation of additional parking facilities at the end of commuter lines, he said.

"The problem is not only steel," he said, referring to rails. "It is rubber and steel," referring to automobiles driven to commuter stations.

Dr. Weaver, who heads an agency that the Administration would like to enlarge into a Cabinet-level urban affairs department, noted that the last Congress had provided $42,500,000 to his department to aid urban mas stransportation.

He said $12,500,000 would be used for the pilot projects and the remainder for direct loans to commuter lines.

Praises Housing Act

Dr. Weaver, who is likely to become the first secretary of urban affairs if that office is created while the Kennedy Administration is in power, said that if any legislation was introduced in his field in the next Congress it would consist of minor housing bills or bills for mass transportation.

In a speech earlier at the Sheraton-Chicago Hotel, he said the Housing Act of 1961 was "one of the proudest achievements of the Kennedy Administration."

At his news conference he said that legislation of 1961 was so wide in scope that it would be "rather stupid to go in for a whole lot now, referring to new legislation.

In his address to 800 persons at the Chicago version of the White House regional conferences being staged in twelve cities between now and Nov. 21, Dr. Weaver said that a major problem the conference must face was the propert relationship between Federal, state and local governments.

In a question-and-answer period he said that Federal control was often raised as a "boogie man" when Federal programs were set up to aid state and local governments meet social needs.

He said there could be Federal participation without Federal control but he thought that there ought to be more Federal control to maintain adequate standards.

"We ought to face up to it and fight for it," he said.

Cards for President

President Kennedy yesterday hailed the regional conferences as "nonpartisan." At a luncheon today, oversize post cards were set out on tables under portraits of the President. Signs said, "The President wants to know your views, write him today."

One side of the post cards read, "The President, the White House, Washington 25, D. C." The other side said, "Dear Mr. President:" with space left for a message and at the bottom a request for the writer's name and address.

Speakers today emphasized the Administration's interest in urban problems and housing, and also in "senior citizens."

Wilbur J. Cohen, Assistant Secretary of Health, Education and Welfare, in a message to the conference, also deplored attacks on the Administration's proposal to put medical care for the elderly under Social Security.

He said many such attacks were "part of a concerted propaganda effort on the part of special interest groups in insurance and business seeking to discredit this nation's social insurance system."

The two-day Chicago conference ended today.

Treasury Department ups Dr. Westerfield

WASHINGTON

Treasury Secretary Douglass Dillon Friday named Dr. Samuel Z. Westerfield, Jr. to the post of senior adviser to the director of the Treasury Department's Office of International Finance.

Dr. Westerfield is a former dean of the School of Business Administration at Atlanta University, Atlanta, Georgia. He joined the Treasury last June as associate director of the Debt Analysis staff. Secretary Dillon, in announcing Dr. Westerfield's advancement to the new post said it will allow him "to devote his full talents to foreign economic policies."

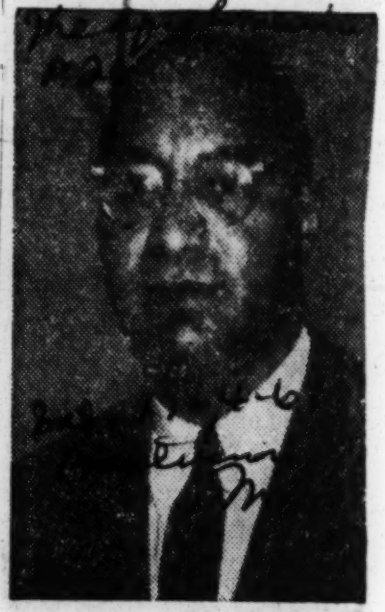
"Dr. Westerfield's Economic background will be extremely valuable to the Office of International Finance, where he will play an important role in helping to develop policies vital to the free world," said Secretary Dillon.

Dr. Westerfield received his A.B. degree magna cum laude from Howard University in 1939. He received his master's degree from Harvard University in 1949 and his Ph.D., also from Harard, a year later.

Dr. Westerfield has been an instructor of economics at Howard University, and a professor of economics at West Virginia State College, Lincoln University, and Atlanta University, as well as guest lecturer at University College, Addis Ababa, Ethiopia, and University College, Ibadan, Nigeria. In 1959 - 1960 he was visiting professor at the Graduate School of Business Administration of Harvard University.

Born in Chicago, Illinois, Dr. Westerfield received his early education in Washington, where he graduated from Dunbar High School. He was the recipient of an Anson Phelps Stokes Scholarship and of fellowships from the Rosenwald Foundation and the Social Science Research Council in the years from 1940 to 1944.

Dr. Westerfield is married to the former Helene Bryant. They have two children, Samuel III, 14, and Shelia Helene, 9.



DR. S. Z. WESTERFIELD

Labor Secretary Gets Negro Aide

WASHINGTON — (NNPA) — John R. Harold, New York, lawyer, has been appointed as a consultant to George L. P. Weaver Assistant Secretary of Labor for International Affairs, the Labor Department said Monday.

An expert in matters of concern to labor unions, Mr. Harold attended Manhattan College and Fordham University School of Law. During World War I., he served as Chief of Labor Relations in Japan and as Assistant Judge Advocate, Far East Air Force.

34c(1) 1961 D.C. NOVEMBER

Postal Group Hails Naming Dixon To Top Drawer Post

WASHINGTON — Ashby G. Smith, president of the National Alliance of Postal Employees commended Assistant Postmaster General Murphy on the promotion of Henry Lee Dixon to the position of assistant employee relations officer in the Bureau of Personnel.

Commenting on the appointment at the national office of the organization, President Smith stated that the organization took note of the critical comments being circulated by officials of other organizations and postal people.

These persons, he said, look blindly into the future, while insisting that the evils of nepotism, and merit principle violations of the past be perpetuated as a way of administration in the postal service.

Smith forthrightly commended Murphy and the Post Office administrators for the "kind of consistency they have applied to their promise of opening up positions to long denied postal personnel in the face of these and many other atacks. Nothing, he said, could be more indicative of the determination to right the wrongs of the past than to place a firm individual such as Dixon in the Bureau of Personnel."

Smith feels that the kind of scruting now given to the problems of employees, long accustomed to the short shrift in personnel actions, will reduce the dificulties so rampant in the past.

The alliance president had high praise for Dixon for the kind of positive approach which he has given to the problems of the community which has reflected so favorably on the kind of job the alliance has done and is doing. Smith continued that he felt it vital to the interest of the alliance and the postal employees that their vigorous participation in the affairs of their communities is basic to the success of the organization.

"This," he stated, "is an integral part of the program of the entire organization."

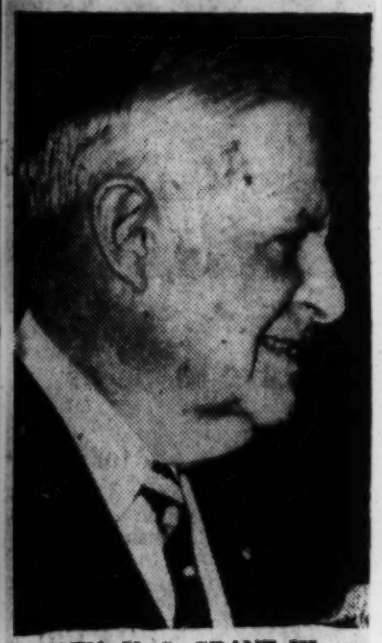
Nothing, he noted, can replace the necessity for becoming a working partner in the local power structure of any community. Dixon has plied this course energetically and with tremendous vigor, he added.

Centennial Chairman

U. S. Grant III Resigns

CLINTON, N.Y. (AP)—Retired Maj. Gen. Ulysses S. Grant III, a grandson of the Union Army's Civil War commander, said Wednesday he had resigned as chairman of the National Civil War Centennial Commission.

Grant said he had notified the commission by letter Aug. 30 that his resignation was to become effective immediately.



GEN. U. S. GRANT III
Resigns As Chairman

The resignation was prompted by the serious illness of his wife, he said. Because of her illness, Grant said, he was unable to travel for any length of time on commission business.

Grant, who turned 80 July 4, said he had told the commission last year that he wanted to resign but that the commission persuaded him to continue in office.

His resignation also was from the 25-member commission, Grant said. He was appointed to the commission by former President Eisenhower and elected chairman in December, 1957.

In Washington, the White House confirmed that resignations had been submitted by Grant and Vice Adm. Stuart H. Ingersoll of the Naval War College, a member of the commission.

Press Secretary Pierre Salinger declined to discuss the reasons given by Grant and Ingersoll for wishing to step out and said he had no plan to make public the contents of their letters.

Congress authorized the commission to plan and coordinate the 100th anniversary of the War Between the States.

Grant was graduated from the U.S. Military Academy in 1903. His Army service included World Wars I and II.

His grandfather, also a graduate of the Military Academy, was elected 18th president of the United States and served two terms.

Almost simultaneously with the word from Grant himself, Rep. Fred Schwengel, R-Iowa, vice chairman of the commission, confirmed in Washington a report that Grant had stepped down.

The report linked the chairman's move to the recent commission action in removing Karl S. Betts as executive director and assigning him the job of special consultant.

Schwengel said Grant's action was not directly a result of Betts' removal. Like Grant, he attributed it to Mrs. Grant's illness.

Another source close to the commission, however, said Grant advanced the possibility of retirement after the commission acted.

There never has been any public announcement of the commission meeting at which Betts was removed as executive director. It was at that meeting that Schwengel was elected vice chairman, succeeding Rep. William Tuck, D-Va., who resigned.

There have been reports of some friction in commission affairs since racial differences dampened the centennial observance held in Charleston, S.C., in April.

Business sessions were moved to the Charleston Naval Base by order of President Kennedy after a protest from the New Jersey delegation against holding them in a segregated Charleston hotel. The New Jersey group had a Negro member, Mrs. Madaline Williams, wife of the state president of the National Association for the Advancement of Colored People.

The hotel management denied Mrs. Williams had asked for accommodations. It said if she had asked she would have been told the hotel was booked solid but she could have attended business sessions.

At the close of the Charleston meeting the New Jersey delegation assured Grant the group that it wanted him fired. Chairman Donald Flamm also denied his vice chairman, Joseph Dempsey had said both Grant and Betts should be dismissed for "pathetic mismanagement."

JFK Appoints Negro To Centennial Post

WASHINGTON (AP)—President Kennedy Tuesday named the first Negro member of the Civil War Centennial Commission.

He is Rex K. Davenport, a special assistant to the under secretary of the Army for personnel.

Davenport, a native of Oakland, Calif., succeeds Dewey Short, former assistant secretary of the Army, on the commission.

Thurgood to be U.S. judge

NEW YORK—Thurgood Marshall, chief counsel of the NAACP, is slated for appointment to one of the three new judgeships on the United States Court of Appeals for the Second Circuit.

Mr Marshall's scheduled appointment, as predicted by the AFRO, became known here last week when he asked that his name be removed from consideration as a possible candidate for the New York State Supreme Court. His request was made to a committee of lawyers that is assembling recommendations for Mayor Wagner for two vacancies in the First Judicial District, consisting of Manhattan and the Bronx.

MR. MARSHALL passed up this state judgeship — which pays a higher salary — for the more distinguished federal judgeship.

The Second Circuit encompasses New York, Connecticut and Vermont.

If he is named and accepts, he will join another distinguished jurist from the NAACP ranks — if not actually, by association — Judge William Henry Hastie, who was named to the Circuit Court in 1949 as a member of the bench in the Third Circuit, consisting of New Jersey, Pennsylvania and the Virgin Islands.

During his brilliant career, Mr. Marshall has argued thirty - three civil rights cases before the U.S. Supreme Court and has won in all but three instances. He is currently responsible for 400 to 500 actions involving 2,000 to 3,000 persons in cases concerning school segregation, accommodations in transportation, airports, hospitals, recreation centers and eating places.

Dixie Hornets' Nest Poked With Marshall Nomination

HYANNIS PORT, Mass. (AP) —President Kennedy has risked new controversy with Southern Democrats by nominating Thurgood Marshall, Negro integration leader, to a high federal judgeship.

Marshall, who has argued the civil rights case for Negroes in court since 1938, was chosen Saturday for the U.S. 2nd Circuit Court of Appeals in New York.

The appointment was not unexpected, but neither was it announced until Congress headed into the closing hours of its 1961 session. The Senate must confirm Marshall's nomination, and it must pass first through the Judiciary Committee headed by Sen. James O. Eastland, D-Miss., who has long been identified with the most, adamant Southern foes of racial desegregation.

White House press secretary Pierre Salinger, here for the weekend with the President, said Kennedy would submit Marshall's name again on an interim basis. This step would be necessary for Marshall to serve on the federal bench until the Senate, with hardly time left this session, acts on the nomination next year.

Kennedy made public his selection of Marshall, veteran lawyer for the National Association for the Advancement of Colored People, on the first full day of his 13th straight weekend on Cape Cod.

Mist hung over Nantucket Sound as Kennedy embarked in the afternoon on a short cruise aboard his 52-foot motor yacht, the Marlin.

On return, Kennedy concentrated once more on the speech he will deliver Monday morning to the United Nations General Assembly.

It was understood the death of U.N. Secretary General Dag Hammarskjold in a plane crash in Northern Rhodesia last Sunday has prompted Kennedy to place new emphasis on the U.N. structure in drafting his address.

Kennedy may also be more specific about U.S. proposals for maintaining a strong U.N. leadership than he had planned before Hammarskjold was killed. The United States hopes to gain support for an effective U.N. executive from nations avowedly noncommitted in the East-West struggle.

The death of Hammarskjold has given the Soviet Union an opportunity to force its campaign against the U.S. stand for an independent U.N. secretariat.

The East-West crisis over Berlin and possible avenues toward controlled disarmament also will figure in Kennedy's speech, now scheduled for Monday at 10:30 a.m. Eastern Standard Time.

Chief Counsel For NAACP Quiet, Cool

NEW YORK (AP)—Thurgood Marshall is the quiet, scholarly courtroom voice of the National Association for the Advancement of Colored People.

Nominated by President Kennedy as a federal appellate judge, he is known to the Negro press as "Mr. Civil Rights."

As chief counsel of the NAACP since 1938, he has argued civil rights cases before the U.S. Supreme Court at least 30 times and has won in all but three instances.

The son of a dining car steward and a teacher, he was named Thoroughgood at his birth in Baltimore, Md., on July 2, 1908.

"By the time I reached the second grade, I got tired of spelling all that out and had shortened it to Thurgood," he explained.

Marshall first became acquainted with the U.S. Constitution in high school. His academic work was excellent but his behavior was prankish. As punishment, he was ordered repeatedly to the basement to memorize a section of the document that was to underlay his future career.

TOP OF CLASS

"In two years," he recalls, "I knew the whole thing by heart."

Marshall later went to Lincoln University in Chester, Pa., and to Howard University Law School in Washington, D.C., where he was graduated at the top of his class.

He is a big, heavy man—210 pounds on a 6-foot 2-inch frame, with a hooked nose, mustache and a constant frown that gives him a fierce appearance that belies his manner.

In court, Marshall pleads his case for racial equality in a straightforward fashion and never with histrionics or bombast, self-righteousness or pedantry.

The subdued, learned voice that has won major triumphs for members of his race in his fight for equal rights in schools, politics, housing, employment, transportation and public places could well be that of a sociologist.

SPECIAL HERO

As a matter of fact, Marshall still lives by the rules of vision of a special hero—Charlie Houston, now deceased, who headed the law school at Howard.

"Charlie Houston taught us all that we should be 'social engineers'," Marshall remembers.

Controversy Rages Over Marshal Post

By ROULHAC HAMILTON
A Special Correspondent

WASHINGTON — The controversy over the nomination of John A. Rowland of McBee to be United States Marshal for South Carolina's eastern district continued to rage here Thursday, with no indication whether the nomination would be confirmed this session.

Sen. Strom Thurmond, the man who holds the key to the fate of the Rowland nomination, still wasn't saying whether he would exercise a senator's prerogative to block or delay confirmation of a presidential nominee from his own state.

But Thurmond seized an opportunity to make it crystal clear that he has no personal objection to Rowland for the marshal's post —he regards him as "a good man" — and that he is not angry because the nomination did not go to T. N. Nelson of St. Matthews, who believed he had the marshal's job "in the bag."

Thurmond, along with Sen. Olin D. Johnston, had submitted to the Justice Department a list of five names, including Nelson and Rowland, with the statement that the appointment of any one of the five as eastern district marshal would be agreeable to both Senators.

Thurmond told Rowland himself, at a face-to-face meeting Tuesday, that he was neither "against" Rowland nor "for" Nelson, as individuals. He told Rowland this in the presence of Miss Elizabeth Dixon, executive secretary to Rep. Robert W. Hemphill of Chester.

Hemphill, who has backed more administration legislation than any other South Carolina Congressman, is credited with having engineered the Rowland appointment, after Democratic leaders in the state already had generally agreed upon Nelson, state Representative from Calhoun.

Thurmond aides reported that the senator had been told by Attorney General Robert F. Kennedy, who had obtained Hemphill's support on a couple of Justice Department bills, that he was "committed" to Hemphill for the naming of Rowland.

Thurmond told Rowland that he was "disturbed" neither by the fact that the McBee man had been nominated nor the fact that Nelson had not. He said what did disturb him was the manner in which Rowland was selected — a manner which Thurmond insists may have prevented fair consideration of all five names on the list jointly submitted by Johnston and Thurmond.

In addition to Nelson and Rowland, the names on the list were

former Marshal Alfred J. Plowden of Summerton, Terry S. Pitts of West Columbia and Tillman T. Smoak of Orangeburg.

Thurmond's position is that when the five-name list was submitted jointly by the two senators, they agreed that they would take no further steps in support of any individual for the appointment. Thurmond aides say the senator has been told by the attorney general that Johnston not only joined Hemphill in getting Rowland named, but definitely left the impression that Thurmond had joined in narrowing the list down to Rowland.

Johnston flatly denies that he made any such suggestion to the Justice Department. Thurmond, on the other hand, denies that he ever deviated from his promise to accept the nomination of any of the five, but not to intervene in behalf of any one of them.

Chester Congressman Hemphill admitted freely that he had gone to bat at every possible opportunity in Rowland's behalf—"He's my friend, I went to school with him, he helped me in my last campaign," Hemphill said.

But Hemphill denied that he had been joined by Johnston in putting "heat" on either the attornay general or the President in Rowland's behalf—what he did for Rowland, the Chester lawmaker said, "I did on my own, and I'd do it all over again if I had to. I pushed him every way I could."

Meanwhile, Johnston replied to a statement by Nelson that he was "virtually promised" the marshal's post by the senior Senator. Nelson said that two weeks ago, in the presence of State Sen. Marion Gressette of Calhoun, Johnston said Nelson would get the job. Nelson quoted Johnston as saying that Attorney General Kennedy had promised Johnston could pick the nominee. Nelson said Johnston told him: "It'll be yours."

Johnston chose to ignore Nelson's specific charge. His two-sentence reply said he had supported Nelson "along with four others whose names were submitted jointly by Sen. Thurmond and myself, leaving the choice . . . to the attorney general."

Johnston said Nelson apparently has "misinterpreted my support of him on this list to be exclusive support . . . . I would have liked to see all five on the list approved."

34c(1) 1961

D.C.

Weaver Discusses U.S. Role In Aiding Emerging Nations

Aut. 2-4-61 34c(1) 40 Pg 4

ALLENTOWN, Pa. — George Leon-Paul Weaver, Special Assistant to Secretary of Labor Arthur J. Goldberg, urged greater efforts to insure that trade unions in newly emerging nations keep from becoming "tools of the state."

Among the ways in which the United States can help these nations, he said, is by:

1. Making "fully effective use of our own labor leaders in the field of our international relations."

2. Developing an expanded program of exchange "on a people-to-people basis," of foreign and American trade - unionists at every level.

3. According to the labor movement around the world "the same interest and concern, in the area of foreign diplomacy, which we have traditionally extended to other facets of societies abroad."

Mr. Weaver, who in July will assume the post of Assistant Secretary of Labor for International Affairs, spoke at a "Republic Day of India" observance, honoring the 10th anniversary of India's constitution.

Noting the rivalry of democratic and Communist - influenced labor organizations in India, he warned that the "fate of millions of Indian citizens could be determined by a distinct minority if the traditional pattern of quick Communist takeover is given an opportunity."

First Negro to Occupy A Policy Position as Deputy Assistant Sec.

Thurs 2-2-61

Washington, D. C.—Carl T. Rowan, 35-year-old Minneapolis Tribune staff writer, author, lecturer and former Minneapolis Spokesman and St. Paul Recorder staffer, last Thursday was named as deputy assistant Secretary of State for public affairs, the first such appointment ever given to a Negro citizen in the nation's history.

Has National Reputation

Rowan is the best known U.S. Negro newspaper writer employed on the staff of a metropolitan daily newspaper. Author of four books, Rowan is presently writing as co-author with **Roswell (Bob) Garst, famous Iowa farmer,** a book on world hunger tentatively titled "No Need For Hunger," for Random House.

On numerous occasions Rowan has made speeches at public and civic affairs in Des Moines. He also was



ROWAN

the only Negro reporter with the sian Premier Nikita Khrushchev on his visit in Des Moines and Iowa, last fall.

In Constant Demand

The Minneapolis writer also has been in constant demand for speaking engagements throughout the U.S. and in Canada. He is a regular contributor to the Saturday Evening Post, Reader's Digest, Redbook, Ebony Magazine and has done articles for Look Magazine. The POST for Feb. 4, contains an article by Rowan titled "A Road Out of the Slums."

Des Moines Iowa

When Simpson College at Indianola, Iowa, bestowed an honorary doctor of letters degree upon Rowan in 1957, it cited his ability to "challenge man's humanity with insight, courage and compassion."

34c(1) 40 Pg 5

Sense of Justice

This keen sense of justice and courage to challenge man's humanity have made Rowan one of the nation's most honored journalists. He is the only newspaperman to win three successive annual medallions from Sigma Delta Chi, the nation's leading organization of professional journalists. He was named "journalist of the year" in 1958 by the Capital Press Club of Washington, D. C. In 1959 he was cited by the National Conference of Christians and Jews "for outstanding contributions promoting the cause of good will and understanding . . . and bringing us nearer the goal of the Brotherhood of Man under the Fatherhood of God."

Staff Member

Rowan has been a member of the news staff of the Minneapolis TRIBUNE since 1948, prior to joining the Tribune he worked for the Spokesman and Recorder newspapers and the Afro-American newspaper and has covered many of the major news events of the last decade—such as the visit of Soviet Premier Nikita Khrushchev to the American Midwest; the Hungarian and Suez crisis in the United Nations; the U-2 spy plane debates in the United Nations; the school desegregation troubles of Little Rock and the Asian-African Conference in Banding, Indonesia. His writing assignments have carried him all over the nation and to Asia, Africa and Australia.

New Presidential Assistant Was Born In Montreal, Canada

Atlanta Daily World

Atlanta Ga.

WASHINGTON — Frank D. Reeves, Democratic National Committeeman for the District of Columbia has been appointed by President Kennedy to be a special Presidential assistant.

Fri. 2-3-61

He has long been active in Democratic politics, serving in 1952 and 1956 on Governor Stevenson's Presidential campaign staffs. Mr. Reeves econded Senator Kennedy's nomination and travelled with him throughout the campaign.

In May 1960 he was elected Democratic National Committeeman for the District of Columbia, becoming the first Negro to hold that position.

Mr. Reeves is Washington representative for the National Association for the Advancement of Colored People and since 1948 has served as a member of the National Legal Committee of the NAACP. Earlier, from 1940 to 1942, he was assistant to Thurgood Marshall, special counsel for the NAACP.

Mr. Reeves, 44, was born in Montreal, Canada, and came to the District of Columbia in 1928. He graduated cum laude from Howard University in 1936 and received his law degree from there in 1939. He has served on the staff of the University's law school at various periods since 1943.

In 1954 he entered private practice, and is currently senior law partner in the firm of Reeves, Robinson and Duncan. Since 1948 Mr. Reeves has participated in all major NAACP legal actvities, including school desegregation cases. During the past two years he has served as council for desegregation cases in Northern Virginia.

Mr. Reeves is married to Dr. Elizabeth W. Reeves, a member of the faculty at D. C. Teachers College. They have two children -Deborah, 7, and Daniel 5.

Weaver, of New York, to be approved as head of the Housing and Home Finance Agency.

Kennedy was reported as saying Reeves will handle "a variety of matters," including minority problems.

Kennedy also selected James E Webb, an official in the former Truman administration, to head the nation's multi- billion dollar civilian space program.

Chairman Robert S. Kerr, D-Okla., of the Senate Space Committee, praised Webb's appointment calling him "one of the finest Oklahomans North Carolina has ever produced." Kerr said the space committee would act on the nomination "shortly."

One of his first responsibilities could be to coordinate a joint American - Soviet space exploration program if the Russians accept Kennedy's challenge to the Kremlin to join in probes of Mars and Venus.

Kennedy's proposal, outlined in his first State of the Union Message, was described in Moscow dispatches as likely to win favorable reaction from the Russians. Western observers said, however, that the actual mechanics might involve endless difficulties.

In addition to Webb, Kennedy named four other high - level federal officials and sent the Senate 15 other nominations announced previously. These include Weaver.

Several Southern senators have said they will oppose Weaver, a Negro who favors federal action to prevent racial segregation in publicly - aided housing. Weaver now is vice chairman of the New York City Housing Authority and has the endorsement of both of the state's GOP senators.

Webb, active in a number of private and governmental fields, will succeed T. Keith Glennan as administrator of the National Aeronautics and Space Administration NASA.

Chairman Robert S. Kerr, D-Okla., of the Senate Space Committee, praised Webb's appointment calling him "one of the finest Oklahomans North Carolina has ever produced." Kerr said the space committee would act on the nomination "shortly."

Kennedy Names Negro Special "Assistant"

Birmingham World

Aut. 2-4-61

WASHINGTON — President Kennedy Monday selected Negro Attorney Frank Reeves, of Washington, D. C., to serve as special White House Assistant and sent the Senate the name of Robert C.



NEW HOUSING CHIEF SWORN IN— Robert Weaver, 55-year-old New York Negro, took the oath of office in Washington, D. C., Feb. 11, as administrator of the Housing and Home Finance Agency in a White House ceremony. President Kennedy watched as Herbert Miller, right, White House aide, administered the oath. Mrs. Weaver also watched. (AP Wirephoto).



SPEAKER — Howard Jenkins Jr., U.S. Department of Labor official, was the keynote speaker at Prairie View A. and M. College in Texas last week. Mr. Jenkins also served as consultant for the various conference sessions which marked the college's Negro History Week celebration on the theme, "Human Relations in a World of Work."

Three Negroes Receive Appointments To Positions Within U.S. Treasury Department

Washington, D. C. — The U. S. Treasury Department today announced the appointment of Mr. Charles A. Dorsey, and Mr. Robert C. Vowels, as economists, and Mr. Jesse Johnson as management analyst.

Their employment brings to a total of four the number of Negroes appointed this year to important positions of this kind in the Treasury Department. They are the first Negroes ever to be appointed to such posts in the Treasury.

The appointments resulted from Treasury policies adopted following President Kennedy's executive order establishing the President's Committee on Equal Employment Opportunity.

On April 4 the Treasury announced the appointment of Dr. Samuel Westerfield, Dean of the School of Business Administration at Atlanta University. as Associate Director of the Office of Debt Analysis.

Mr. Johnson will be a management analyst in the office of the Administrative Assistant. Mr. Dorsey will be a fiscal economist in the Office of Debt Analysis and Mr. Vowels will be a fiscal economist in the Office of Tax Analysis. Mr. Johnson and Mr. Dorsey assumed their duties Monday, April 17. Mr. Vowels will enter upon his duties after the close of the school semester at Howard University where he is a member of the faculty.

Mr. Johnson was an employee of Howard University and later became an assistant with the President's Committee on Government Contracts. He holds an LL.B. degree from Howard University and is 41 years of age. He is a former resident of St. Louis, Mo., but now resides at 4107 Third St., northwest, Washington, D. C.

Mr.Dorsey, a native of Baltimore. was a research assistant in the Offiie of Naval Operations. Navy Department. He holds M.A. and B.A. degrees from Howard University and is 39 years old. He resides at 1215 46th St., southeast, Washington, D. C.

Prior to his services as an instructor in economics at Howard University, Mr. Vowels was with the District of Columbia Public Library. He, too, is a graduate of Howard University and holds degrees of B.A. and M.A. He is a native of Baltimore. Md.. but resides now in Washington, D. C. at 130 Webster St., northwest. Mr. Vowels is 35 years old.

DR. ROBERT C. WEAVER
HEAD-FEDERAL HOUSING AND
HOME FINANCE AGENCY



Associated Press Wirephoto

NEW YORKER IS NAMED: Robert C. Weaver speaking yesterday in Palm Beach after President-elect Kennedy announced he would head Housing and Home Finance Agency.

Kennedy Appoints Bundy Despite Furcolo's Protest

By W. H. LAWRENCE
Special to The New York Times.

PALM BEACH, Fla., Dec. 34—President-elect John F. Kennedy today disregarded protests by Gov. Foster Furcolo of Massachusetts and appointed McGeorge Bundy as a special assistant for national security affairs.

Mr. Kennedy also made two other appointments:

Robert C. Weaver of New York to be administrator of the Housing and Home Finance Agency—the highest Federal administrative position ever assigned to a Negro.

Boisfeuillet Jones of Atlanta, Ga., to be special assistant to the Secretary of Health, Education and Welfare for health and medical affairs.

Transcript of Kennedy-Weaver news conference, Page 28.

Post Offered Roosevelt

Mr. Kennedy also announced that he had offered a Governmental post to Franklin D. Roosevelt Jr., former Manhattan Congressman and son of the late President. Mr. Roosevelt said that their talks had not concerned a specific Federal assignment, but he indicated that he would take steps to arrange his private business affairs so that he could join the Kennedy Administration.

Mr. Bundy, a Republican, is Dean of the Faculty of Arts and Sciences at Harvard University.

In announcing his selection, Mr. Kennedy dismissed as purely personal and political the attack Governor Furcolo made against Mr. Bundy last night. The President-elect said that the Governor had not communicated directly with him yet, as he had said he would.

Governor Furcolo issued a statement charging that Mr. Bundy was so lacking in qualification for any position of trust and confidence as to make the appointment "completely incredible."

In reply, Mr. Kennedy said today:

"I think the Governor's objection is that Mr. Bundy opposed him in the 1958 election."

Mr. Kennedy said that he had sought to fill positions involving national security with the best qualified persons "regardless of whether or not they supported me." He pointed out that his Cabinet included two Republicans, Douglas Dillon as Secretary of the Treasury and Robert S. McNamara as Secretary of Defense.

Will Not Be Deterred

"Now," he added, "if I will select people regardless of whether they supported me or not in this campaign, for those positions which involve national security, I must say that I am not going to be deterred from appointing people who may have opposed somebody else."

At the same time, Mr. Kennedy declared that Mr. Bundy's role would be greater in scope than that of the present Presidential assistant for national security affairs, Gordon Gray. He said that he was asking Mr. Bundy to streamline and reorganize the National Security Council secretariat, the staff and functions of the Operations Coordinate Board, and the continuing functions of a number of special project staffs within the White House.

The President-elect said that he hoped "to use the National Security Council and its machinery more flexibly than in the past" in line with recommendations made by the Special Senate Subcommittee on National Policy Machinery. Senator Henry M. Jackson of Washington, the Democratic national chairman, headed the subcommittee.

Mr. Kennedy said that his choice of Mr. Weaver reflected a belief that he would provide strong leadership in the housing field. He said that the housing agency would bear "great responsibilities" in stimulating the national economy.

Backs Open Occupancy

Asked if he expected opposition to Mr. Weaver's confirmation from Southern Democrats, Mr. Kennedy said that he had "selected a man who I think can do the job and I am hopeful that will be the judgment of all Americans."

Mr. Weaver was asked at the news conference on the patio of the Kennedy winter home whether he would use executive authority to require that homes be made available for sale to Negroes before such housing would be eligible for Federal insurance of mortgages.

"I think it is a little premature to get into the technique that would be used, but certainly I favor the idea of open occupancy and nondiscrimination in housing," Mr. Weaver said.

He said that he would resign as national chairman of the National Association for the Advancement of Colored People when he took his Federal post.

The appointment of Mr. Jones was made on recommendation of Gov. Abraham A. Ribicoff, who has been designated Secretary of Health, Education and Welfare.

The Atlantan now is vice president and administrator of Health services at Emory University. He has served on a number of national committees concerned with health problems.

Wagner Lauds Weaver

Mayor Wagner praised the appointment of Mr. Weaver as an "excellent choice."

The mayor sent a telegram of congratulations to Mr. Weaver, telling him:

"Your appointment is in keeping with the high standard of appointments already made by President-elect Kennedy, and I am sure that our country will benefit by his excellent choice."

The Mayor praised Mr. Weaver's "great ability, which we in New York City have been most fortunate in having had."

Kennedy-Weaver Conference

The N.Y. Times

Special to The New York Times.

PALM BEACH, Fla., Dec 31—Following is the transcript of a joint news conference held by President-elect John F. Kennedy and Robert C. Weaver of New York.

MR. KENNEDY—I want to announce the appointment of Robert C. Weaver of New York City as administrator of the Housing and Home Finance Agency. The Housing and Home Finance Agency embraces the Federal Housing Administration, the Public Housing Administration, Urban Renewal Administration, and the Federal National Mortgage Association. It is the top housing agency in the United States Government. It is an agency which will be extremely active, we hope, in the coming months.

In my judgment, one of the great opportunities and responsibilities for this Administration in the domestic area is the stimulation of housing, not only the housing for all of our citizens, but also for those who live in slum areas, those who are aged. I believe that if we are going to stimulate our economy, if we are going to provide needed services for our people, I believe that this particular agency will have great responsibilities placed upon it.

Because of this, I am particularly glad that Mr. Weaver has been willing to accept this responsibility. He holds a most important position in the City of New York. He has had long experience in the field of housing. His experience has covered the entire area. He was part of Governor Harriman's Cabinet in this field. He works very closely today with Mayor Wagner in this area, and I believe that we have been most fortunate in securing his services.

Q.—Mr. Weaver, when was it that you worked for the Federal P. H. A. A.—I never worked for the Federal P. H. A. I worked for it when it was the U. S. H. A. This goes away back. As a matter of fact, I started out in the Federal Government in housing in 1934, when I was a consultant to the housing division of the P. W. A. That was before U. S. H. A. When U. S. H. A. was created, I became a special assistant to the administrator, who was then Nathan Strauss, and stayed there until 1940, when I went into the war agencies.

Head of N. A. A. C. P. Board

Q.—You are currently, Mr. Weaver, the chairman of the N. A. A. C. P. [National Association for the Advancement of Colored People] board? A.—Yes.

Q.—Is that a term that runs out fairly shortly? We notice references in the morning papers that you had this post for the past year. A.—Yes, it is a post that is an elective post, and one which I shall relinquish if and when I get on this job; rather, when.

Q.—Mr. Weaver, would you favor a requirement that homes be available for sale to Negroes before they would be eligible for Federal insurance of mortgages? A.—I think it is a little premature to get into the technique that would be used, but certainly I favor the idea of open occupancy and nondiscrimination in housing.

Q.—And this could be by an administrative decision? A.—Again I think it is premature to say how it will be.

Q.—What do you think will be the reaction of the Southern Democrats to this in the Congress? A.—Again, I think it is premature to say.

Mr. Kennedy—To which? What was your question? To what?

Q.—The selection of Mr. Weaver, for his appointment, and the general policy. A.—Well, I have selected a man who I think can do the job, and I am hopeful that that will be the judgment of all Americans.

Q.—Senator, may I ask a question on another subject? Sir Harmon Nichols, a member of the British Parliament, said today that you would give up your idea of live TV coverage of press conferences. I will read just on sentence. "The slick question and the quick reply give no time for informed reflection, and a clumsy answer can be flashed around the world with unnecessarily consequences." I wonder if you would care to comment on that? A.—No I don't think the questions should be termed "slick" that are asked by the American press, should they?

Returns to Press Query

Q.—Mr. Kennedy, I am asked to put a couple of things to you. One, do you plan to continue the Cuban refugee——

A.—I will say on this question, I don't see much difference in the present procedure and the procedure we are talking about, as far as questions. The President's questions are a matter of record, his answers. A lot of different procedures have been adopted in order to bring the views of the President closer, more immediately and effectively, to the people. Under President Roosevelt and President Truman the matter was, of course, always in the third person. It was edited.

President Eisenhower made the breakthrough of putting it in the first person, permitting television of his news conferences, so what we are doing is just part of the general trend, to make it possible to communicate the views of the President to the people who are very much involved in his decisions. There is nothing new about this. President Eisenhower followed a very closely related procedure. I suppose the same objection could have been raised when President Eisenhower used his procedure as opposed to the use of the third person. So what we are doing is, I think, going to be helpful.

Q.—Mr. Kennedy, could I ask you about the Cuban refugee thing? Do you plan to continue the Cuban refugee program, a special program they have now down here in Florida with a fund of $1,000,000, with Tracey Voorhees as the head of it? A.—I don't have any idea of changing it, but I would not want to get too much involved in it yet.

Q.—Have you had any guidance from Governor [Foster] Furcolo [of Massachusetts] this morning about any possible appointment for [McGeorge] Burndy? He said he would be inclined to be in touch with you today to protest it. [Mr. Kennedy has chosen Mr. Burndy to be his special assistant for national security affairs.] A.—No, I haven't heard directly from Governor Furcolo.

Q.—What is your reaction, Senator, to the statement made by Mr. Furcolo and published in the press this morning, presumably even before you received it? A.—What did he say?

Q.—Well, he said that this appointment was incredible, completely incredible. He said that he couldn't believe that you would consider appointing a man—excuse me a minute, I will get the text of it. A.—What were some of his objections?

Q.—It is a short statement. He says, "I am getting in touch with the President-elect because I do not believe it is possible he would even consider a person" so lacking in qualifications for any position of trust and confidence as Bundy. He does not spell out those things, but that is his general charge.

Cites Earlier Choices

A.—I think the Governor's objection is that Mr. Bundy opposed him in the 1958 election. I will say that for those positions involving national security, Treasury, Defense and State, and the related positions involving national security, I have attempted to select people regardless of whether or not they supported me. In the case of Mr. [Douglas] Dillon [Treasury Secretary-designate], he supported Mr. Nixon, Mr. [Robert S.] McNamara [Defense Secretary-designate] is a Republican. Now, if I will select people regardless of whether they supported me or not in this campaign, for those positions which involve national security, I must say that I am not going to be deterred from appointing people who may have opposed somebody else.

Q.—Would you consider it possible this might be some continuation of Governor Furcolo's unhappiness over Senatorial succession? A.—Well, I wouldn't attempt to read Governor Furcolo's mind.

Q.—Sir, can you tell us anything about your conversations with Mr. [Franklin D. Roosevelt? A.—Well, I have asked Mr. Roosevelt to take a position in the Administration, and Mr. Roosevelt has some obligations, and we are going to confer about it again in a week.

Q.—What was the position, Mr. Kennedy. A.—Well, I would rather just leave it at that.

Q.—Mr. Kennedy, to confer about it at the end of the week here or in New York? A.—New York.

Q.—Senator, could we come back to the question of housing and civil rights for just a minute? Would you favor the open-occupancy idea that Mr. Weaver spoke of a moment ago? A.—I am going to have to wait and make a determination on this and other matters dealing with civil rights——

Q.—Senator—— A.—Until after the inaugural.

Q.—A number of Georgia papers as well as some others have requested up to ask you whether you are considering their Governor [Ernest] Vandiver for Secretary of the Army or any other position. A.—Well, I have followed a policy of not commenting on any of these stories, on any appointments, until the appointment might be made.

Q.—Senator, as far back as the West Viriginia primary, there was talk of Franklin D. Roosevelt Jr. taking a job that his father once held, Assistant Secretary of the Navy. I don't want to press you on this, but could this position that you have in mind on Roosevelt be in that area? A.—Well, I would prefer to put off the matter. I would just say that that isn't the matter which we were discussing.

Q.—It is not. A.—Yes.

Q.—Thank you, Senator.

Weaver, Yes! Vandiver, No!

The Courier

In naming Robert C. Weaver to be head of the Federal Housing and Home Finance Administration, President-elect Kennedy has made the best choice available.

Although by education, temperament and training, Dr. Weaver is admirably adapted to his new post, a fine example of a dedicated public servant, there are indications that unreconstructed Southern senators will fight his confirmation.

It is to be hoped that the liberal forces in the Senate, Democrats and Republicans, will rally to his support.

Frankly, we were disturbed by the rumor that the President-elect was considering as Secretary of the Army, that consistent and violent segregationist, Governor Ernest Vandiver of Georgia.

We assumed that this was simply a trial balloon, until the Georgia foe of school integration admitted that the President-elect had telephoned and asked if he were interested in the post.

Governor Vandiver says he told Mr. Kennedy that he was "not now seeking" the post, and "would not seek it" which, of course, may be the case; but many have been chosen who did not seek jobs.

It would be an outrageous incongruity for a violent segregationist to be made civilian boss of a desegrated Army, the most revolutionary occurrence of the post-war period; a man who as Georgia State Adjutant General was harshly critical of Army integration.

Vandiver is backed by his uncle-in-law, Senator Richard B. Russell, chairman of the powerful Senate Armed Services Committee, and Rep. Carl Vinson, chairman of the House Military Affairs Committee; and such backing cannot be ignored by the President-elect.

Nothing may come out of this move to put Vandiver in a key Administration post, but we shall breathe easier when and if Mr. Kennedy names somebody else for this job.

34c(1) 1961 D.C.

DR. ROBERT C. WEAVER
HEAD-FEDERAL HOUSING AND HOME FINANCE AGENCY

Negro Federal Housing Chief Causes Little Concern Here

By CHARLES EDMUNDSON

The chairman of the Memphis Housing Authority said last night he did not feel appointment of Robert C. Weaver, a Negro housing expert, as head of Federal housing agencies "will cause any trouble in Memphis."

Mr. Weaver, chairman of the National Association for the Advancement of Colored People and an advocate of racially desegregated housing, was appointed head of the Federal Housing and Home Finance Agency by President-elect John F. Kennedy Saturday.

"I have known Robert Weaver for 15 or 16 years," Memphian Walter M. Simmons said. "He is a very competent fellow in anything he gets interested in.

Three-To-One Ratio Here

"I wouldn't be surprised if some influence is exerted toward admitting Negroes to white low-cost housing developments. But I don't think we'll have to admit Negroes to them in Memphis. We have almost three Negroes to one white living in our seven low-cost housing projects. Negroes here know we haven't discriminated against them. I expect no trouble."

Interviewed by telephone, Gov. Ross Barnett of Mississippi, the nation's most outspoken segregationist governor, said he had carefully read stories of the appointment.

"I'm worried about it," he added. "We've been hoping to get some Federal low cost housing in Mississippi. But we wouldn't take integrated housing if we could help it."

Governor Barnett said he probably would make a statement when he had read further stories on the appointment.

Has Wide Authority

Mr. Simmons said as head of Federal Housing and Home Finance, Mr. Weaver would have authority over the Federal Housing Administration, Urban Renewal Administration, the Federal National Mortgage Administration and the Federal Home Loan Bank.

He would also have responsibility for Federally assisted cooperative apartment housing. Memphis has only one apartment oof this type but Mr. Simmons said the city will seek others.

Memphis has seven low cost housing projects. Four are occupied by about 13,616 Negroes. Three are occupied by 4,784 whites.

Highest Job Held By Negro

By MERRIMAN SMITH
UPI White House Reporter

PALM BEACH, Fla. — (UPI) — President-elect John F. Kennedy Saturday picked a veteran crusader for civil rights to head the government's multi-million-dollar housing agency.

In choosing Robert C. Weaver, 53, of New York to head the Federal Housing and Home Finance agency, Kennedy selected a recognized housing expert who long has struggled to destroy racial barriers.

Weaver, national chairman of the National Association for the Advancement of Colored People, will take over the highest government administrative post ever held by a Negro. He becomes top executive over a number of government units including the Federal Housing administration, the Public Housing administration and the Federal National Mortgage association.

Shortly after Franklin D. Roosevelt was inaugurated President in 1933, Weaver became a member of a group of Negroes in government known as "The Black Cabinet" which attempted to resolve racial problems at that time.

Weaver was reported to feel that Negroes should "fight hard" for racial equality but to do so legally. He is said to dislike hotheads.

Weaver, who now serves on the housing and Redevelopment Board of New York City, received his appointment in person at the Kennedy home at a (11 a.m. EST) press conference.

Standing in the sun-baked patio of Kennedy's ocean front Villa, Weaver, now a member of the Housing and Redevelopment board of New York City, said he was a firm advocate of "open occupancy and non-discrimination" in all types of housing.

This was his answer when asked whether he favored a requirement that homes should be available for sale to Negroes before being ligible for federal mortgages.

Kennedy hailed the nationally-known crusader for civil rights a a man eminently qualified for the post—administrator of the federal Housing and Home Finance agency, now held by Norman P. Mason.

The incoming chief executive said he hoped the agency under Weaver would be "extremely active in the coming months" in the stimulation of housing.

"If we are going to stimulate the economy," Kennedy said, "I believe this particular agency is going to have a great responsibility placed on it."

Weaver said he planned to resign his national chairmanship of the NAACP upon taking over his federal post.

Asked to estimate the reaction of southern Democrats to his appointment, the small, powerfully-built Weaver said this would be "premature."

Kennedy interjected, "I selected the man I think will do the job and I hope that will be the judgment of all Americans."

Dr. Weaver is likely to move up to cabinet status as head of the Department of Urban Affairs if legislation is enacted to create that new Cabinet post.

Creation of an Urban Affairs department was promised by Senator Kennedy in the Presidential campaign. HHFA would have a central role in the new agency which would concentrate on the problems of city development, including housing, mass transportation, water supply and other municipal services.

Dr. Weaver's selection as $21,000-a-year head of the HHFA was learned shortly after Mr. Kennedy named former New York Gov. Averell Harriman to the newly-created post of ambassador-at-large.

Dr. Weaver flew down from New York to be met by reporters who told him word of his appointment had preceded him. He smiled and said he was asked two days before about taking the job "and it was confirmed last (Thursday) night."

Dr. Weaver has figured in the background of a party-splitting struggle in New York City over choosing a successor to Manhattan Borough President Hulan E. Jack, who was convicted to violating state conflict-of-interest laws.

Mayor Robert F. Wagner and reform Democrats reportedly favored Dr. Weaver for the post. Earl Brown, long an associate editor of "Life" magazine, has also been mentioned as a possible new Borough President.

With his acceptance of the top federal housing post, Dr. Weaver has bowed out of the picture.

Born in Washington, D. C., and educated at Harvard university, both Weaver and his wife, the former Ella Haith, hold Ph.D. degrees. He obtained his degree in economics and Mrs. Weaver in clinical speech and hearing theory, a subject which she now teaches as an assistant professor at Brooklyn college. Dr. Weaver received his bachelor's, master's and doctor's degrees at Harvard.

For the past three years Dr. Weaver has been chairman of the board of directors of the NAACP. He is a former New York State Rent Administrator and is a member of the board of directors of ACTION, the anti-slum organization.

He has been a Ford Foundation consultant and has taught at New York University, Columbia Teachers College and Northwestern University. Mrs. Weaver also has taught at Roosevelt College and Howard university.

Dr. Weaver left Washington in 1944. He began his career in Washington as an aide to Interior Secretary Harold L. Ickes. He later served as special assistant in such agencies as the Housing Authority, the housing division of the Works Progress Administration, the National Defense Advisory Commission, the War Production Board, and the War Manpower Commission.

Dr. Weaver is the author of two books, "The Negro Ghetto," a study of housing problems published in 1946, and "Negro Labor: A National Problem," a discussion of labor union discrimination, published in 1946.

Dr. and Mrs. Weaver have a 19-year-old adopted son, Robert Jr. Both Dr. and Mrs. Weaver are well known in Washington.

'Gratified,' Says Weaver

(Exclusive to The Courier)

NEW YORK — "Deeply gratified" at his new appointment, Dr. Robert C. Weaver, new HHFA administrator, told The Courier in an exclusive statement here Tuesday, that he is seeking a program to meet the needs of the American people "at all levels."

The complete text of Dr. Weaver's statement is as follows:

● **"I am deeply gratified that President-elect Kennedy has appointed me administrator of the vitally important Housing and Home Finance Agency.**

"Housing has long been an area of primary interest to me. I recognize the spread of blight and the present shortage of decent housing as a major national problem, placing an especially heavy burden upon low income families.

● **"It is imperative that the country have a housing program adequate to meet the needs of an expanding population. Moreover, the steadily rising standards of living requires new approaches to the housing problems which confront middle-income families.**

"With the President's backing and congressional support, I look forward to the development of a program which will meet the urgent housing needs of the American people at all levels and of all groups."

PERSONALITY SPOTLIGHT

Dr. Robert C. Weaver

New Housing and Home Finance Administrator

By UNITED PRESS INTERNATIONAL

Robert C. Weaver has excelled in two fields—government work and racial desegregation. He has done so by fighting hard and working quietly.

He has broken down many barriers for his race, but he has never subordinated the duties of his job to his fight against racial desegregation.



ROBERT C. WEAVER

Now Weaver has been named to the highest federal post ever held by a Negro in a field in which he is expert—housing—a field which he feels is a key to national integration at every level.

Weaver, who received a doctorate degree at Harvard, long has been active in the National Association for the Advancement of Colored People. As NAACP national board chairman he said the key to victory for Negroes was to fight hard, legally, "and don't blow your top."

He practices what he preaches. A keen intellectual, he never has been known to lose his temper. And he never surrenders an objective.

Weaver, who celebrated his 53rd birthday on Thursday, started public life as a member of Franklin D. Roosevelt's "Black Cabinet" of the depression 1930's—a group of Negro advisers in the New Deal. Weaver began his work under Interior Secretary Harold Ickes.

Aiming to give Negroes a fairer share of federal services, Weaver worked in many agencies, including the Housing Authority, the Housing division of the Works Progress Administration, the National Defense Advisory commission, the War Production Board and the War Manpower Commission.

In 1956 he was named New York State rent administrator under Gov. Averell Harriman—the first Negro to reach cabinet status in the state government.

He also wrote two books, "The Negro Ghetto," a housing study in 1948, and "Negro Labor," a work on job discrimination, in 1946.

Weaver had been in line to get the job of Manhattan Borough president, succeeding Hulan Jack, another Negro who was forced to resign when convicted of violating the city charter by accepting personal favors.

Weaver will take a salary cut of $1,500 a year from his present job as vice chairman of the New York City Housing and Redevelopment board to accept the new federal post which pays $21,000.

Born in Washington, D. C., he, his wife, Ella and their adopted son, Robert Jr., 19, live in New York.

Robert Weaver Named Housing Administrator By Pres.-Elect Kennedy

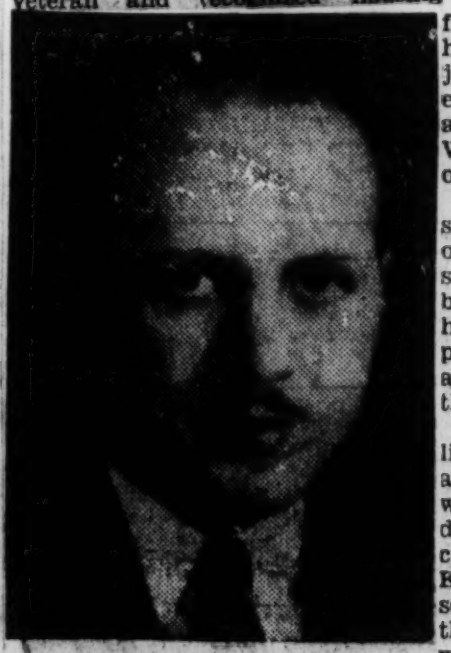
Emory Univ. Professor Also Is Given A Post

By MERRIMAN SMITH

UPI White House Reporter

PALM BEACH, Fla. — (UPI) — President-elect John F. Kennedy named a Negro Saturday to head the Federal Housing Agency and picked a Harvard professor to streamline the National Security Council.

The housing administration appointee, 52-year-old Robert C. Weaver, board chairman of the National Association for the Advancement of Colored People is a veteran and recognized housing



ROBERT C. WEAVER

expert and currently is a member of the New York City Housing and Redevelopment Board. His official title will be administrator of the Housing and Home Finance Agency.

Kennedy named McGeorge Bundy, dean of the Harvard arts and sciences faculty, as his special assistant for national security matters. Bunday, a Republican, was ordered to streamline the National Security Council, NSC, and make it a more flexible arm of the presidency.

HOLDS THREE DEGREES

Weaver holds three degrees from Harvard. Bundy was an honor graduate at Yale before joining the Harvard faculty. Weaver will succeed Norman P. Mason and Bundy will take over the White House staff position now occupied by Gordon Gray.

The Weaver appointment was designed to arouse a certain amount of resistance among conservative southern Democrats in Congress, but Kennedy displayed no apprehension about this project as he presented the new housing chief at a joint press conference here this morning.

Weaver, who explained he believes strongly in "open occupancy and nondiscrimination," said it would be "premature" for him to discuss possible southern Democratic reaction in Congress, but Kennedy spoke up quickly, "I have selected a man who I think can do the job and I am hopeful that will be the judgment of all Americans."

Kennedy Saturday also made his first secondary appointment in the Health, Education and Welfare Department. He named Boisfeuillet Jones of Atlanta, Ga., as special assistant to the secretary for health and medical affairs. The appointment was made in consultation with Secretary-designate Abraham A. Ribicoff. The post, currently unfilled, pays $21,000 yearly.

Jones, 47, now is vice president and administrator of health services at Emory University, Atlanta. His professional career began with eight years service, 1935-43, as a southern official of the National Youth Administration.

After World War II service in the Navy, he joined the Emory faculty as a political science professor in 1946 and has been connected with the university ever since.

34c(1) 1961 D.C.

DR. ROBERT C. WEAVER
HEAD- FEDERAL HOUSING AND HOME FINANCE AGENCY

Negro Gets Nation's Top Housing Post

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One appointment — that of Robert C. Weaver of New York—may become a matter of controversy. The other — of Republican McGeorge Bundy — already is. Gov. Foster Furcolo of Kennedy's home state of Massachusetts assailed it in advance as incredible.

Weaver, chairman of the National Association for the Advancement of Colored People and an advocate of racially desegregated housing, was selected to be administrator of the Housing and Home Finance Agency. This would be the highest governmental executive position ever held by a Negro.

Weaver said he will resign the NAACP post when he gets his new job.

Kennedy bristled a bit at a question as to how Southern Democrats in Congress might react.

With Weaver by his side at a news conference, Kennedy said: "Well, I have selected a man who I think can do the job, and I am hopeful that that will be the judgment of all Americans."

Weaver is a nationally known housing expert. He is vice president of the New York City Housing and Redevelopment Board. He is 53 and has a doctor's degree from Harvard.

Bundy, 41, is dean of the Harvard faculty of arts and sciences. He opposed Furcolo's election as governor in 1958.

Advance word that Bundy was expected to get the White House national security post drew from Furcolo a statement that: "it is completely incredible that President-elect Kennedy would name a person so completely unqualified as McGeorge Bundy. I am getting in touch with the president-elect because I do not believe it is possible he would even consider a person so lacking in qualification for any position of trust and confidence as Bundy."

Replying to a question at the news conference on the patio of his seaside home, Kennedy said he had not heard directly from Furcolo. He asked a question himself, as to what objections Furcolo had raised. A reporter read him the governor's statement.

"I think," he said, "the governor's objection is that Mr. Bundy opposed him in the 1958 election."

With a reference to such appointments as that of Republican Robert S. McNamara to be secretary of defense, Kennedy added: "Now if I will select people regardless of whether they supported me or not in this campaign, for those positions which involve national security, I must say that I am not going to be deterred from appointing people who may have opposed somebody else."

There have been indications earlier of a measure of political coolness between Kennedy and Furcolo. The latter reportedly agreed with reluctance to name an old friend of Kennedy, Benjamin A. Smith II of Gloucester, Mass., to the Senate seat Kennedy has vacated.

Kennedy made another appointment Saturday that stirred up noin immediate prospects of a fuss. He selected Boisfeuillet Jones, vice president and administratorof health services at Emory University, Atlanta, Ga., to be assistant secretary of health, education and welfare.

Kennedy headquarters described Jones, 47, as "a nationally renowned figure in the field of health and medicine." He is a native Georgian. Last year he was chairman of a panel which studied the adequacy of government pprograms for medical research and reported to the Senate Appropriations Committee.

The Kennedy news conference revolved largely around names and jobs and Kennedy's efforts to find out all the key men he will need in order to take full control of the government after his inauguration Jan. 20.

Kennedy disclosed that he had offered a position to his overnight guest, Franklin D. Roosevelt Jr. but he added it was not that of assistant secretary of the Navy—a post the late President Roosevelt occupied in World War I.

Kennedy said Roosevelt "has some obligations" and they are going to confer about the offer again in New York in a week.

Nor was Kennedy saying whether Gov. S. Ernest Vandiver of Georgia might wind up as secretary of the Army or in some other position in the new administration. The governor has been reported reliably to be in the running for civilian head of the Army.

Kennedy said merely that he has followed a policy of not commenting on stories on appointments until the appointment might be made.

The Weaver appointment will be subject to review by the Senate Banking Committee in advance of Senate confirmation. The chairman, A. Willis Robertson of Virginia, and the two senior Democratic members are Southerners.

Weaver told questioners he thought it would be "premature to say" how Southern Democrats in Congress will react to his appointment. But he seemed to have no uncertainty about confirmation.

He spoke of giving up his NAACP chairmanship "if and when I get on this job." Then he changed it to "when" alone.

A rather heavy-set, balding man with a thin mustache, Weaver told reporters he also thought it "a little premature to get into the technique that would be used, but certainly I favor the idea of open occupancy and nondiscrimination in housing."

On this New Year's Eve Kennedy, aides said, was spending his time quietly at home with his family.

On New Year's Day, he will hold a noon news conference with Sen. Paul H. Douglas, D-Ill., participating, and release a report on depressed areas drafted by a task force Douglas headed.

Weaver's Fight on Bias Firm but Well-Tempered

United Press International

Robert C. Weaver has excelled in two fields—Government work and racial desegregation. He has done so by fighting hard and working quietly.

He has broken down many barriers for his race, but he has never subordinated the duties of his job to his fight against racial desegregation.

Now Weaver has been named to the highest Federal post ever held by a Negro in a field which he is expert—housing—a field which he feels is a key to national integration at every level.

"Don't Blow Your Top"

Weaver, who received a doctorate degree at Harvard, long has been active in the National Association for the Advancement of Colored People. As NAACP national board chairman he said the key to victory for Negroes was to fight hard, legally, "and don't blow your top." He practices what he preaches.

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Aiming to give Negroes a fairer share of Federal services, Weaver worked in many agencies, including the Housing Authority, the Housing Division of the Works Progress Administration, the National Defense Advisory Commission, the War Products Board and the War Manpower Commission.

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Associated Press

ROBERT C. WEAVER
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Born here, he, his wife Ella, and their adopted son Robert Jr., 19, live in New York.

NAACP chief named to top housing post

BY DOUGLAS B. CORNELL

PALM BEACH, Fla., Dec. 31—(AP)—President-Elect John F. Kennedy Saturday named a Negro civil rights crusader to the top U. S. housing post and a Harvard dean to be White House assistant on national security affairs.

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With Weaver by his side at a news conference, Kennedy said:

He's housing expert

"WELL, I HAVE selected a man who I think can do the job, and I am hopeful that that will be the judgment of all Americans."

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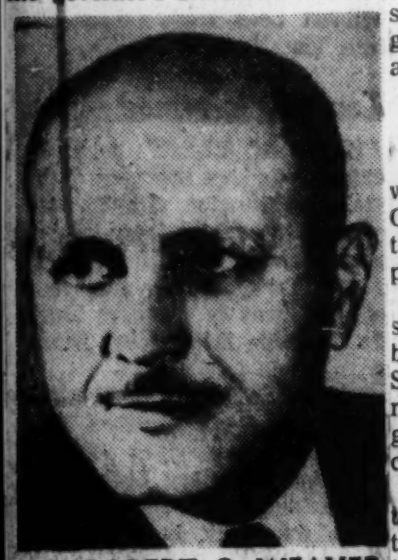
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Kennedy tells reason

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DR. ROBERT C. WEAVER
. . . To housing post

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Georgian given job

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Subject to review

NOR WAS KENNEDY saying whether Gov. Ernest Vandiver of Georgia might wind up as secretary of the Army or in some other position in the new administration.

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Weaver told questioners he thought it would be "premature to say" how Southern Democrats in Congress will react to his appointment. But he seemed to have no uncertainty about confirmation.

Weaver for Housing

The selection of Robert C. Weaver to head the Housing and Home Finance Administration ought to be viewed on its own merits, with only passing regard for the fact that Dr. Weaver is a Negro. There is no indication that President-elect Kennedy singled out this top position in housing as an appropriate reward for the heavy Negro support that he received in the recent election. Rather, he appears to have surveyed the list of potential housing administrators and to have selected Dr. Weaver because of his outstanding qualifications for this particular assignment.

Among these qualifications, of course, is Dr. Weaver's experience as vice chairman of New York City's Housing and Redevelopment Board, a job that pays more than the $21,000 he will receive in his new Federal post. Having also served as rent control administrator in New York and as a member of the board of directors of ACTION, the slum-fighting organization, he is well prepared to direct the Nation's drive to improve its living quarters. His qualifications are further enhanced by his education here and at Harvard University, by his familiarity with government operations in Washington and by his authorship of a book on housing.

Mr. Kennedy has promised a renewal of emphasis on housing and other urban problems. He will ask Congress to create a Department of Urban Affairs of which housing and slum clearance would be vital parts. The challenge before Dr. Weaver will thus be a major one of substantially broader scope than the presidency of Manhattan Borough for which he was also being considered.

SOUTH REACTION AWAITED

Negro NAACP Crusader Named To Housing Job

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HOUSING EXPERT

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34c(1) 1961 D.C. DR. ROBERT C. WEAVER HEAD-FEDERAL HOUSING AND HOME FINANCE AGENCY

2 Southerners To Oppose Post For Dr. Weaver

Atlanta Daily World

Atlanta Jr. 2, 1

Jan 1-6-61

WASHINGTON (UPI) — The chairman of the Senate Banking Committee, which must act on the nomination of Dr. Robert Weaver as housing and home finance administrator, said Thursday he would oppose confirmation of the New York Negro.

Sen. A. Willis Robertson, D-Va., insisted his opposition to Weaver was not based on race. He complained that President - elect John F. Kennedy did not notify him of the selection in advance.

A simliar complaint was levelled by Sen. John J. Sparkman, D-Ala., chairman of the housing subcommittee. Sparkman said he did not want to comment on the choice until the full committee holds hearings.

But it was learned Sparkman opposed Weaver because he felt the New Yorker had a hand in keeping Arkansas Sen. J. William Fulbright from the post of secretary of state. Some Kennedy advisers feared Fulbright's southern background would hurt this country in Africa and Asia.

Robertson and Sparkman said their choice for the housing job was Joseph McMurray, a former chief clerk of the housing subcommittee who once held a post similar to Weaver's in New York City.

Weaver, vice - chairman of New York City's housing and redevelopment board would direct the multi- million dollar federal housing programs.

Robertson said he would contact Kennedy or his personnel adviser in an attempt to keep the President - elect from sending Weaver's name to the Senate. If that fails, Robertson indicated he would oppose Weaver in committee.

He said similar opposition to Weaver has been received from all over the country and added the complaints were not limited to the South. He said they also came from New York.

Southerners To Oppose Weaver's Confirmation

The Louisville Defender

Louisville Ky. Jan 26 pc

Washington, D. C. — Southern members of the U. S. Senate are expected to voice opposition to Housing and Home Finance Agency Administrator-designate Dr. Robert C. Weaver when he comes up for confirmation later this week.

Weaver, 51, presently vice president of the New York City Housing and Redevelopment Board, was named to the $22,000 a year post by President John F. Kennedy in December. If confirmed he will be the highest ranking Negro in the history of the Federal Government.

Already indicating their opposition to the appointment are Senators Harry F. Byrd, (D., Va.) and Lister Hill (D., Ala.). Supporters of Weaver, headed by Senators Hubert Humphrey (D., Minn.) and Paul Douglas (D., Ill.) are expected to override the opposition.

"Shall Oppose"

Hill, in a statement earlier this week, said that he didn't think "it was in the interest of our housing programs to have Robert C. Weaver as administrator of the Housing and Home Finance Agency. I shall oppose his confirmation," he said.

Dr. Weaver, National Board chairman of the NAACP, a post he will soon resign, is described as a liberal who favors open occupancy. He was one of the original New Dealers in the administration of the late President Franklin D. Roosevelt.

In Minneapolis, Minn., Carl T. Rowan, Negro author and staff writer for the Minneapolis Tribune, said that he had been offered the post of deputy assistant Secretary of State for public affairs.

Rowan, 35, has been a member of the Tribune staff since 1948. He is the author of a number of books dealing with race relations. He also collaborated with Jackie Robinson in the biography, "Wait Until Next Year".

WEAVER OPPOSED AS A FOE OF BIAS

The Wilmington Journal

New York

Some Builders in the South Fear He Would Enforce Equality in Housing

Jan 1-7-61

By RUSSELL BAKER

Special to The New York Times.

WASHINGTON, Jan. 6—Senate sources said today that the chief element behind a threatened battle over the confirmation of Dr. Robert C. Weaver as Federal Housing Administrator was opposition in the building industry.

This opposition is said to be based on the concern of individuals in the building industry over President-elect John F. Kennedy's campaign pledge to end racial discrimination in Federally subsidized and supported housing.

Opposition to the appointment of Dr. Weaver as Housing and Home Finance Administrator was announced yesterday by Senator A. Willis Robertson of Virginia, chairman of the Banking and Currency Committee, which will conduct the confirmation hearings.

Damage to Industry Feared

Dr. Weaver is vice chairman of the New York City Housing and Redevelopment Board and National Chairman of the National Association for the Advancement of Colored People. Mr. Robertson's objection, it is understood, is not because Dr. Weaver is a Negro but because he favors "open occupancy and nondiscrimination in housing" that is supported by Federal funds.

Senate sources reported that the prospect of seeing such a policy carried out had provoked alarm from segments of the building industry, particularly in the South. The general line of complaint is that any rigorous enforcement of nondiscrimination policies would drive builders away from Federal financing programs and seriously damage the housing industry.

Actually, the fight boiling around Dr. Weaver does not center on him personally so much as it centers on Mr. Kennedy's policy on Federal housing.

Mr. Kennedy laid down this policy in a speech delivered Sept. 9 in Los Angeles.

"As chief executive," he said, "the next President must be prepared to put an end to racial and religious discrimination in every field of Federal activity."

New York

One step, he added, would be to issue "the long delayed executive order to put an end to racial discrimination in Federally subsidized and supported housing."

Lobbyists Claim Neutrality

Spokesmen for the major national lobbying groups in the housing field here insist that they are neutral on the appointment. What complaints they have received, they report, come mainly from individual contractors in the South.

Though Senate opposition to Dr. Weaver may be based chiefly on economic ground, it is likely to become mixed with the civil rights issue in a way that could confuse the issue.

Some Southern Senators believe that if Mr. Robertson makes a determined fight, the entire Southern bloc will be compelled to join him or risk political losses in their states.

This development, it is pointed out, would probably present the issue in such terms that non-Southern members normally sympathetic to the building industry would be compelled to support Dr. Weaver to avoid a racist label.

Minor troubles also lie ahead on other Kennedy appointments. Everett McKinley Dirksen of Illinois, the Senate Republican leader, said today that Republicans want a "thorough examination" of Robert F. Kennedy's appointment as Attorney General.

There is no evidence of any opposition to the President-elect's younger brother at present, but Republicans are expected to exploit the confirmation process to draw attention to a point at which they think the new Administration is politically vulnerable.

Mr. Dirksen said that Republicans would also pay special attention to the appointments of Chester Bowles as Under Secretary of State and of G. Mennen Williams as Assistant Secretary for African Affairs.

Originally, Mike Mansfield of Montana, the Democratic Senate leader, hoped to begin confirmation hearings next week on the Kennedy Cabinet so that it could be quickly approved by the Senate after the inauguration.

Plans for getting under way early next week have been delayed, however, by the Senate floor fight over curbing the filibuster. So far the Senate's committees have not been officially appointed and Southern opponents of the filibuster curb have indicated that they will not permit the confirmation process to start until the filibuster issue is disposed of.

The Senate held a brief afternoon session during which the filibuster debate continued through its fourth day without a vote. Both sides are postponing a test because each is uncertain of the outcome.

The House held a brief routine session during which members congratulated and praised Speaker Sam Rayburn of Texas on his seventy-ninth birthday.

U.S. Post for Negro Held Up in Senate

By PETER BRAESTRUP

(Copyright 1961 by the New York Times Co.)

WASHINGTON—Dr. Robert C. Weaver, nominated to be the federal housing chief, went to Capitol Hill Tuesday and ran into heavy fire.

For the first time, a nomination sent to the Senate for confirmation by President Kennedy met delay and defiance.

HEARING HELD UP

Sen. A. Willis Robertson, chairman of the Banking and Currency Committee, held up its hearing on Dr. Weaver until President Kennedy could rush a letter to the panel dealing with the New Yorker's loyalty.

Weaver was named as administrator of the Housing and Home Finance Agency. If confirmed, he would have the highest federal post ever held by a Negro.

After Tuesday's session ended, Robertson asked Weaver to appear again before the committee Wednesday for further questioning. He said he doubted if the committee would vote on Weaver's nomination this week.

CONNECTIONS EXPLORED

Weaver's views on segregation and federal housing policy, and charges of connections with Communist-tainted groups were explored at length—after Sen. Robertson received the letter he requested from President Kennedy certifying that Weaver had undergone a routine Federal Bureau of Investigation "field investigation."

The President's letter said:

"As is customary in nominations of this importance, a report on Mr. Weaver was submitted to me by the Federal Bureau of Investigation and this report was fully reviewed and evaluated.

"I am most confident that if confirmed Mr. Weaver will perform an outstanding service for our country as administrator of the HHFA. I am pleased to give you my views in this instance."

"EQUAL ACCESS"

Weaver said he felt that "every citizen should have equal access to all housing," but emphasized that the President or the Congress must formulate national policy on integrated housing.

Asked if he would order integrated housing, he answered:

"I don't think I could if I wanted to and don't think I should if I could."

Later Weaver said that he was a panel member of second national Negro Congress in Philadelphia in 1937, belonged to and resigned from the Washington Cooperative Book Shop in 1941, and was a "dupe" in endorsing the program of the "council on African affairs" in 1946.

Weaver emphasized that he had never been an active member of any of these organizations, which Sen. Blakely, D-Tex, said, were listed as subversive by the United States attorney general in subsequent years.



Associated Press Wirephoto

WAITS WORD

Robert C. Weaver

Dixiecrats Opposing Selection of Weaver

(Courier Press Service)

WASHINGTON—Dr. Robert C. Weaver, the New York Negro who has been chosen by President-elect John F. Kennedy as Housing and Home Finance Administrator, is facing opposition from bigots, even before he assumes the duties of office.

Sen. A. Willis Robertson (Dem., Va.), chairman of the Senate Banking Committee, has said that he will oppose confirmation of Weaver's appointment. He claimed that his opposition was not based on race but because Kennedy had not notified him in advance of the selection.

■

SEN. ROBERTSON said he was "surprised and disappointed" at the selection and that Kennedy "did not pick the right man." Robertson said he would contact Kennedy or his personnel advisor in an attempt to keep Weaver's name from reaching the Senate. He added that if that strategy failed, he woud oppose the nomination in committee.

A similar complaint came from Sen. John J. Sparkman (Dem. Ala.), one-time Democratic vice-presidential nominee. It was learned that he opposed Weaver because he felt the Negro had had a hand in keeping Sen. J. W. Fulbright of Arkansas from being appointed Secretary of State.

■

ROBERTSON asserted that complaints against the daring Weaver appointment had come from all over the country, adding that the South was not the only seat of dissent.

It was also learned that some members of the building industry were not happy with the choice and would use their influence to block confirmation. It is believed that industry is turning a cold shoulder toward the brilliant and well-qualified Negro administrator because of his emphasis on enforcing integration in all federally financed housing projects.

Negro Pick Hits Snag In Senate

Loyalty Question Holds Up Hearing On JFK Appointee

WASHINGTON (AP) — A nomination of President Kennedy hit a snag for the first time Tuesday. Sen. A. Willis Robertson, D-Va., held up a Senate hearing on Negro appointee Robert C. Weaver and forced Kennedy to rush a letter to Capitol Hill dealing with Weaver's loyalty.

In the letter, demanded by Robertson as a condition for starting hearings, Kennedy said the normal FBI loyalty report on Weaver had been fully reviewed and evaluated before Weaver was nominated.

After receiving the brief letter, Robertson, chairman of the Senate Banking Committee, had it read into the record and opened hearings on the nominee.

Weaver, if confirmed as administrator of the Housing and Home Finance Agency, would have the highest federal post ever held by a Negro.

DIXIE OPPOSITION

His nomination has stirred opposition from some Southerners like Robertson who disagreed with Weaver's views favoring racial integration in housing.

Weaver, 53, is vice chairman of the New York City Housing and Redevelopment Board and national board chairman of the National Association for the Advancement of Colored People.

But it was the issue of loyalty rather than integration that led Robertson to delay his committee's hearings.

While Weaver sat in the witness chair, Robertson startled the packed hearing room by announcing he would not proceed until he had received a letter from Kennedy evaluating FBI reports on Weaver.

Robertson said he had received a number of complaints touching on the question of his (Weaver's) loyalty" and had written to Kennedy Jan. 30 asking for an evaluation of the loyalty report.

The chairman then ordered the room cleared and called an executive session of his committee. He said the open hearings would not start until he received an answer from Kennedy.

The dramatic maneuver prompted action from the White House. Within two hours, Robertson had the letter from Kennedy.

"As is customary in nominations of this importance," Kennedy wrote, "a report on Mr. Weaver was submitted to me by the Federal Bureau of Investigation and this report was fully reviewed and evaluated.

"I am most confident that if confirmed, Mr. Weaver will perform an outstanding service for our country as administrator of the Housing and Home Finance Agency. I am pleased to give you my views in this instance and I appreciate your interest."

Weaver had no comment to newsmen on the implication of Robertson's remarks about his loyalty. And he did not alude to them in his opening statement to the committee.

Later, however, Weaver was questioned closely by Sen. William A. Blakley, D-Tex., about alleged associations with Communist-front organizations.

DENIES MEMBERSHIP

Weaver acknowledged speaking at conferences conducted by the organizations but denied membership in them.

Weaver said, for example, that he had led a panel discussion on housing at a 1937 conference of the National Negro Congress, which Blakley said had been cited by former Atty. Gen. Tom Clark as a subversive organization during the Truman administration.

Weaver added, however, that he had been in good company, for the late President Franklin D. Roosevelt had sent greetings to the conference. In addition, Weaver said, he had been a public official at the time and his participation was cleared by his agency.

Robertson, in open session, did not disclose details of the complaints about Weaver's loyalty.

NEWS CLIPPING

It was learned, however, that committee members, in their closed session, discussed at least one of the accusations—that Weaver once had been a member of a group that has appeared on several subversive lists.

WEAVER CONFIRMATION PUSHED BY GEORGIANS

Atlanta Daily World

The appointment of Dr. Robert C. Weaver as Administrator of the Housing and Home Finance Agency by President-Elect John F. Kennedy has been endorsed by the Atlanta chapter of the Frontiers of America and the Georgia Conference on Educational Opportunities.

Phenizee F. Ransom, president of the Frontiers, and Jesse O. Thomas, chairman of the Georgia Conference, wrote Mr. Kennedy praising selection. Said Mr. Ransom's communication:

"The Atlanta chapter of Frontiers of America wishes to commend you for your choice of Administrator of the Home Finance Agency. Dr. Robert C. Weaver is not only qualified from the point of view of education, having graduated from Harvard University, his work history is an additional recommendation. For the past quarter of a century.

Dr. Weaver has been associated with federal and low cost housing developments on municipal, state and national levels in different parts of our country.

"It is our sincere hope that Dr. Weaver will be unanimously confirmed for the position for which he is so ..eminently qualified."

Mr. Thomas' letter said:

"Citizens attending the fourth and sixth congressional district meetings of the Georgia Conference on Educational Opportunities wish to commend you for appointing Robert C. Weaver to the position of Administrator of the Housing and Home Finance Agency. In this appointment you adhered strictly to your established policy of selecting persons on the basis of their comparative competence.

"For the past twenty-eight years, Mr. Weaver has been employed by either state or federal government where his major administrative or occupational concern has been intimately related to some aspect of housing. He is therefore eminently qualified for the position under consideration. It is our sincere hope that the members of Congress will confirm the appointment."

Hill to oppose NAACP chief, for housing job

The Birmingham News

WASHINGTON, Jan. 21—U. S. Sen. Lister Hill (D., Ala.) Saturday announced he will oppose confirmation of NAACP Leader Robert C. Weaver for a key government housing post.



HILL

Weaver's nomination for administrator of the Housing and Home Finance Agency by President John Kennedy must be approved by the Senate, of which Hill is a senior member.

The agency is the president's arm for shaping policy in the government's various housing programs.

Weaver, a Negro, is national chairman of the NAACP, which is dedicated to total elimination of racial segregation.

HILL JOINED other Southern Congressmen who have expressed fear that integration efforts by Weaver might disrupt the housing industry.

The senator said in a brief statement:

"I certainly do not think that it is to the interest of our housing programs to have Robert C. Weaver as administrator of the Housing and Home Finance Agency, and I shall oppose his confirmation."

Profiles

The Philadelphia Inquirer

'Fight Hard, Work'—'A Marvelous Mind'

ROBERT CLIFTON WEAVER has excelled in two fields, government work and racial desegregation. He has done so by fighting hard and working quietly. Now he has been named to the highest Federal post ever held by a Negro in a field in which he is expert—housing—a field which he feels is a key to national integration at every level.

Weaver, who received a doctorate degree at Harvard, long has been active in the National Association for the Advancement of Colored People. As NAACP national board chairman he said the key to victory for Negroes was to fight hard, legally, "and don't blow your top."

Weaver, who celebrated his 53d birthday Thursday, started public life as a member of Franklin D. Roosevelt's "Black Cabinet" of the depression 1930s — a group of Negro advisers in the New Deal. Aiming to give Negroes a fairer share of Federal services, Weaver worked in many agencies.

In 1956 he was named New York State Rent Administrator under Gov. Averell Harriman — the first Negro to reach cabinet status in the state government.

He has written two books, "The Negro Ghetto," a housing study in 1948, and "Negro Labor," a work on job discrimination, in 1946.

Weaver will take a salary cut of $1500 a year from his present job as vice chairman of the New York City Housing and Redevelopment Board to accept the new Fed[illegible]l post which pays $21,000.



ROBERT C. WEAVER

Born in Washington, D. C., he, his wife, Ella, and their adopted son, Robert, Jr., 19, live in New York.

MC GEORGE BUNDY, Harvard dean chosen by President-elect John F. Kennedy as Special Assistant for National Security Affairs, is described by a Harvard colleague as "a wonderful guy, with a marvelous mind."

Bundy, 41, an honor graduate of Yale, is dean of the faculty of arts and sciences at Harvard and rides to school on a bicycle. He locks and parks it outside of Harvard Hall.

His friends say Bundy had a most amazing college board record on admission to Yale. He is described as having a "steeltrap mind", and he doodles a lot on a paper pad when he is thinking. A powerfully built man, he likes to play tennis.

Bundy, chief officer of Harvard's central faculty, heads a staff of more than 1000, including 288 professors. A mathematician, he also is an authority on international relations and has served as a professor of government.

Deeply concerned with the problems of liberal education, his interests range from nuclear research to undergraduate dramatics. He joined the Harvard faculty at 30 and was named dean four years later. His faculty of arts and sciences



McGEORGE BUNDY

is responsible for the instruction of 5500 undergraduates and some 1800 graduate students.

Boston-born Bundy has been responsible for a score of laboratories, the famous Harvard College Library, six museums, forests at Petersham, Mass., and Cornwall, N. Y.; the Boston Arnold Arboretum, the Atkins Gardens in Cuba, and observatories for astronomy, seismology and meteorology.

He was married in 1950 to Mary Buckminster Lothrop, of Boston. They have four sons.

Negro Pick Hits Snag In Senate

The Montgomery Advertiser

Montgomery Ala.

Loyalty Question Holds Up Hearing On JFK Appointee

Wed. 2-8-61

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NEWS CLIPPING

It was learned, however, that committee members, in their closed session, discussed at least one of the accusations—that Weaver once had been a member of a group that has appeared on several subversive lists.

Kennedy Gives Negro Top U.S. Housing Post; Security Aide Named

Health Job Goes to Southerner

By DOUGLAS B. CORNELL

PALM BEACH, Fla., Dec. 31 (AP). — President-elect John F. Kennedy on Saturday named a Negro civil rights crusader to the top U. S. housing post, and a Harvard dean to be White House assistant on national security affairs.

One appointment—that of Robert C. Weaver, of New York—may becomé a matter of controversy. The other—of Republican McGeorge Bundy — already is. Gov. Foster Furcolo of Kennedy's home State of Massachusetts assailed it in advance as "incredible."

HIGHEST POSITION

Weaver, chairman of the National Association for the Advancement of Colored People and an advocate of racially desegregated housing, was selected to be administrator of the Housing and Home Finance Agency. This would be the highest governmental executive position ever held by a Negro.

Weaver said he would resign the NAACP post when he gets his new job.

Kennedy bristled a bit at a question as to how Southern Democrats in Congress might react. With Weaver by his side at a news conference, Kennedy said:

"Well, I have selected a man who I think can do the job, and I am hopeful that that will be the judgment of all Americans."

EXPERT IN FIELD

Weaver is a nationally known housing expert. He is vice president of the New York City Housing and Redevelopment board. He is 53 and has a doctor's degree from Harvard.

Weaver, who would succeed Norman P. Mason as head of the agency, was New York State rent administrator when Averell Harriman, Kennedy's new roving ambassador, was Governor. Kennedy's newest appointee recently has figured in the New York City Democratic struggle over choosing a successor to Manhattan borough president Hulan Jack, who was convicted of violating the conflict of interest laws.

DEAN AT HARVARD

Bundy, 41, is dean of the Harvard faculty of arts and sciences. He opposed Furcolo's election as Governor in 1958. Word that Bundy was to get the White House national security post drew from Furcolo a statement that:

"It is completely incredible that President-elect Kennedy would name a person so completely unqualified as McGeorge Bundy. I am getting in touch with the President-elect because I do not believe it is possible he would even consider a person so lacking in qualification for any position of trust and confidence as Bundy."

Replying to a question at the news conference on the patio of his seaside home, Kennedy said he had not heard directly from Furcolo. He asked a question himself, as to what objections Furcolo had raised. A reporter read him the Governor's statement.

RIGHT TO THE POINT

"I think," Kennedy said evenly, "the Governor's objection is that Mr. Bundy opposed him in the 1958 election."

With a reference to such appointments as that of Republican Robert S. McNamara to be Secretary of Defense, Kennedy added:

"Now if I will select people regardless of whether they supported me or not in this campaign, for those positions which involve national security, I must say that I am not going to be deterred from appointing people who may have opposed somebody else."

There had been indications earlier of a measure of political coolness between Kennedy and Furcolo. The latter reportedly agreed with reluctance to name an old friend of Kennedy, Benjamin A. Smith, 2d, of Gloucester, Mass., to the Senate seat Kennedy has vacated.

HEALTH POST FILLED

Kennedy made another appointment Saturday that stirred up no immediate prospects of a fuss. He selected Boisfeuillet Jones, vice president and administrator of health services at Emory University, Atlanta, Ga., to be Assistant Secretary of Health, Education and Welfare.

Kennedy headquarters described Jones as "a nationally renowned figure in the field of health and medicine." He is a 47-year-old native Georgian.

Kennedy confirmed that he had offered a position to his overnight guest, Franklin D. Roosevelt, Jr., but he added it was not that of Assistant Secretary of the Navy—a post the late President Roosevelt occupied in World War I. He said Roosevelt "has some obligations" and they are going to confer about the offer again in New York in a week.

SILENT ON VANDIVER

Nor was Kennedy saying whether Gov. Ernest Vandiver of Georgia might wind up as Secretary of the Army or in some other position in the new Administration. The Governor has been reported to be in the running for civilian head of the Army.

The Weaver appointment will be subject to review by the Senate Banking Committee in advance of Senate confirmation. The chairman, A. Willis Robertson of Virginia, and the two senior Democratic members are Southerners.

Weaver told questioners he thought it would be "premature to say" how Southern Democrats in Congress would react to his appointment. But he seemed to have no uncertainty about confirmation.

A rather heavy-set, balding man with a thin mustache, Weaver said he also thought it "a little premature to get into the technique that would be used, but certainly I favor the idea of open occupancy and non-discrimination in housing."

William Foster, a 63-year-old corporation executive and a Republican, was reported to be Kennedy's choice for No. 3 man in the State Department. The New York Journal-American, in a dispatch from Washington, quoted "reliable sources" as saying there would be an announcement soon of Foster's appointment as Undersecretary of State for Economic Affairs.

Rally Support In Weaver Bid

WASHINGTON — (UPI) — New York's two Republican senators promised an all-out fight for confirmation of Dr. Robert C. Weaver as federal housing administrator in the Kennedy cabinet.

Sen. Kenneth B. Keating announced that he will testify before the Senate Banking committee in behalf of the New York City housing expert, who is chairman of the National Association for the Advancement of Colored People.

And Sen. Jacob K. Javits, a member of the Banking committee, called on Chairman A. Willis Robertson, D-Va., to schedule hearings "as soon as possible" on the Weaver nomination since a contest seems certain.

SOUTH OPPOSES

Robertson opposes the Weaver selection on the ground that the Negro leader favors nondiscrimination in housing supported by federal funds. Building industry opposition in the South is said to be based on concern that such a policy would cause builders to shy away from needed federal financing.

Weaver is now vice chairman of the New York City Housing and Redevelopment board.

His nomination is not expected to reach the hearing stage already accorded Kennedy cabinet nominees until after inauguration day Friday.

Javits' written request to Robertson for an early hearing was acknowledged over the weekend with thanks, but no date has yet been set for the Weaver hearing.

Javits argued that the consideration of the Weaver appointment should start "as soon as possible so that effective operation of the nation's housing programs are not delayed by a vacancy in this im-

obstrated abilities make him an admirable" choice. He said ing, in a weekend tele- policies and on con- tion program, said Weaver's "it is clear that opposition to which I believe shou broad experience and dem- his nomination is not based on his ability or background, but place in a free coun- with his considerations should have no country."

Kennedy Hails Weaver at Swearing-In

WASHINGTON, Feb. 11 (AP)—Robert C. Weaver, 53-year-old New York Negro, became the nation's housing chief Saturday as President Kennedy declared:

"I have the highest confidence in Mr. Weaver's loyalty, integrity and ability."

Weaver was confirmed by the Senate Thursday despite the opposition of Southern senators. They said they opposed Weaver because of his views favoring integrated housing and his past association with allegedly left-wing organizations.

* * *

AS ADMINISTRATOR of the housing and home finance agency, Weaver has the highest post ever held by a Negro in the executive branch of the government.

The swearing-in took place in the President's office. Except for a dozen cameramen, the only witnesses were Mrs. Weaver, the President, and the White House staff official who administered the oath, Herbert Miller.

For some reason not immediately explained, newsmen who had expected to view the swearing-in were not admitted. From those present, however, an account of Kennedy's statement made for the newsreels was obtained.

* * *

KENNEDY SAID he hoped that under Weaver's tenure as administrator of the housing and home finance agency the nation's program of redeveloping decaying cities would be speeded and improved.

Some 25 million Americans are living in substandard houses, Kennedy said, and Weaver has been charged with the responsibility of leading a national effort to correct that situation. Weaver said he was both "humble and joyous" at the challenge and responsibility conferred upon him. He added:

"With the help of the President and Congress I hope to be able to achieve real progress."

Weaver Asks For Emphasis On Housing

CHICAGO (ANP) — America was called upon to put housing ahead of peanuts this week by the man, President John F. Kennedy has selected to head the Housing and Home Financing agency.

Dr. Robert C. Weaver of Washington, whose appointment of the Federal Housing Agency is expected to be acted upon this week, appeared before the opening session of the 17th annual exposition convention of the National Association of Home Builders.

Kennedy's choice for the Government's top housing post, a Negro, was warmly applauded when he was presented to the convention by NAHB president Martin L. Bartling Jr.

■

WHEN HE CONCLUDED his brief remarks, the designate for the FHFA post said that he considered that it would be premature at this time to delineate "what we hope to do."

However, Dr. Weaver said, he is in agreement with the home builders on many points. He said that we need to correct the situation where more Federal funds are spent on the marketing of peanuts than for housing.

Weaver paid tribute to the NAHB for its leadership in both the economy of the country as a whole and in the whole area of shelter. He said that both the NAHB and the new administration in Washington agree that the credit situation is changing and he said the situation of housing demands and supplies has atlered "due to your efforts in the past decade."

Kennedy to fight for Weaver choice

(Editorial on Page 4)

WASHINGTON

President Kennedy plans to fight for Senate confirmation of Dr. Robert C. Weaver as administrator of the Housing and Home Finance Agency despite objections from certain southern senators.

On Monday, Kennedy sent the nomination of Weaver to Sen. A. Willis Robertson of Virginia, chairman of the Senate Banking and Currency Committee, who is an announced foe of Weaver.

But before the nomination was formally received, the Virginia Democrat indicated that he will oppose confirmation of Weaver.

In an unprecedented action, Robertson set a Feb. 3 dead line for anyone who wants to testify for or against the ranking colored appointee of the Kennedy administration.

The unusual change rules was announced on the floor of the Senate where it was heard by most of the Southern opponents of Weaver, assuring their appearance against him.

Robertson announced that all who wish to testify should inform Matthew Hale, chief counsel of the committee, before the close of business on Feb. 3.

Earlier, Kennedy's press secretary, Pierre Salinger, said that the President had designated Lester H. Thompson acting Federal Housing Commissioner on the recommendation of Dr. Weaver.

Washington observers say the Southerners have little chance of blocking Senate confirmation of Dr. Weaver. The Senate Banking and Currency Committee is composed of 12 northerners, and only three southerners, they point out.

Both Sens. Jacob K. Javits and Kenneth B. Keating of New York, are supporting Dr. Weaver.

Sen. Javits asked Sen. Robertson to schedule prompt hearings on Weaver's nomination, and Sen. Keating has said he will testify in behalf of the nominee.

Dr. Weaver's Appointment

(From the New York Times)

When Dr. Robert C. Weaver accepted Mr. Kennedy's nomination to be Federal Housing Administrator, he said he favored "the idea of open occupancy and nondiscrimination in housing." He could not have taken any other position if he wished to be in harmony with the Democratic platform, the campaign speeches of Mr. Kennedy, the Federal statutes, and the United States Constitution.

Now it seems that Dr. Weaver's adherence to this principle is stirring up opposition to him in the building industry, especially in the South. Senator A. Willis Robertson, chairman of the committee that will conduct the confirmation hearings, says he will oppose Dr. Weaver. The argument is that to enforce nondiscriminatory policies in the South would discourage builders from using Federal financing procedures and thus be bad for the building industry.

Dr. Weaver's Southern opponents do not admit that his Negro descent counts against him, or that they object to the post he has held as chairman of the National Association for the Advancement of Colored People. If he would undertake to forget the platform, the Presidential promises and the law of the land, he might presumably be acceptable.

We hope the President and the Senate liberals will stand by their guns. This is a test case.

Weaver Approval Seems Certain Despite Opposition From South

The Courier
Pittsburgh, Pa.
Sat. 2-4-61

(Courier Press Service)

In spite of all the sound and fury from certain Southern Senators, it appears that the appointment of Robert C. Weaver as head of the key Housing and Home Finance Agency, will be confirmed by the Senate.

Sources on Capital Hill indicate that unless these Southerners come up with unexpected unfavorable material on Weaver's background, they will offer only token opposition, and for reasons of local politics, will vote against him.

There has been a mysterious delay in sending the name of Weaver, the New York Negro chosen by Kennedy to head the powerful housing unit, to the Senate for approval, but apparently an understanding has been reached between administration representatives and Senator Robertson (D., Va.), chairman of the Senate Banking Committee which must vote on the appointment.

Earlier, Robertson had said he would oppose the appointment and fight it in committee. Now it appears that these Southerners are under obligation to the White House to remain neutral during the anti-filibuster fight.

■

MEANWHILE, Weaver has received strong backing from liberal legislators. Senator Kenneth Keating (R., N. Y.) said on a New York television broadcast, "Actually, it is clear that opposition to his (Weaver's) nomination is not based on his ability or background but on disagreement with his policies and on considerations which I believe have no place in a free country."

Keating added that he would not only support Weaver, but would appear personally before the Senate Banking Committee to urge his confirmation.

In a separate interview, Senator Jacob Javits (R., N. Y.) gave full support to the fight for the Weaver approval, "though he's a Kennedy nominee," he said.

■

DIXIECRATS are basing a smear campaign on the fact that Weaver also serves as board chairman of the NAACP.

Though sketchy propaganda has been circulated on Capital Hill recently in an attempt to link Weaver's activities with communism, the chairman of the Un-American Activities unit has said that the files contain no evidences of Weaver ever having engaged in such activities.

The brilliant New York administrator has said that he will relinquish his position with the NAACP when he assumes duties of the Federal post.



SEN. K. KEATING ... supports Weaver... confirmation likely

ROBERT WEAVER ... gives full backing

SEN. JACOB JAVITS

POLITICS

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 3-11-61

No Immediate Drastic Action Against Biased Housing, Weaver Says

WASHINGTON (ANP) — The nation's new housing chief, 53-year-old Robert Weaver said he had no immediate plans for ending racial discrimination in housing, but he will study proposals submitted by his staff and outside consultants.

Weaver also declared that he does not plan to urge the President to make any immediate decisions on an executive order banning racial discrimination in housing for the present time.

Weaver made this statement in less than two weeks after taking up duties in his new office, then announced that he had moved into one of Washington's urban renewal housing developments, the Capitol Park Apartments. It has been claimed by ministers in in Washington that the project was designed to keep Negroes out of others.



Robert Weaver

■

WEAVER SAID he could have moved into his own home here, but he wanted to set an example as head of the Housing Agency by living in a housing project sponsored by the agency.

Baptist ministers meanwhile are preparing position paper to present to a Senate Committee early this month that will show urban renewal projects in the nation's capital to be in reality, urban "removal" projects.

At a recent conference of city ministers, it was determined that urban renewal in the District of Columbia was a substitute for racial segregation. They called it economic discrimination.

Those opposing current methods used by the urban renewal board say that Negro families were moved out of certain areas in this city to enable a redevelopment program to be initiated that when completed, is priced out of the range of the former inhabitants.

■

Urban renewal authorities, on the other hand, say there is no type of discrimination practiced and they point out that just across the street from such projects as the Capitol Park Apartments, there are many public housing homes. Authorities indicate that the majority of these new homes are occupied by Negro families.

At any rate, it now appears that there is enough opposition to the urban renewal program at the District that the battle will be carried to Capital Hill and that perhaps Congressional lawmakers will have to render the final decision.

Past Associations at Issue

Weaver Probe Shows Revival of McCarthyism

The Washington Post
Washington D.C.
Sun. 2-12-61
P. A4

The spirit if not the physical presence of Joe McCarthy seemed to be stalking Capitol Hill again last week, but its visit proved short-lived.

It emerged Tuesday when a Senate committee began hearings on President Kennedy's nomination of Robert C. Weaver as Housing Administrator.

And it evaporated two days later when the Senate agreed to "advise and consent" to the selection of the 53-year-old District of Columbia native and vice chairman of the New York City Housing and Redevelopment Board.

Meanwhile, Weaver was flogged in public, McCarthy style, by a group of Southern Senators for his "associations" with causes and organizations that later were labeled "subversive."



Associated Press

Robert C. Weaver was sworn in as Housing and Home Finance Agency administrator by Herbert Miller, a White House aide, in ceremonies at the White House yesterday. President and Mrs. Kennedy witnessed the event.

Fitness Is Challenged

These associations were cited by some opponents—notably Sens. William C. Blakley (D-Texas) and James O. Eastland (D-Miss.) — as making Weaver, a Negro, unfit for his job.

Several other opponents took a higher road, contending that his approval would shake the confidence of the construction industry and cause economic harm.

Just what were the "associations" that got such attention, even moving the President to reassure the lawmakers of his confidence in his appointee?

There were five in all. In only one did Weaver actually hold membership—and now-defunct Washington Cooperative Bookshop.

Quit Group in 1941

Weaver testified that he joined, without knowledge of its radical activities, to get a 20-per-cent discount on books. He and eight others quit in 1941 with a stern disavowal of totalitarianism in any form.

Six years later the Bookshop was branded "subversive" by Attorney General Tom C. Clark.

Here is a catalogue of the other "associations" that were cited:

• In 1937, as a Federal official, he was a discussion leader at the Second National Negro Congress in Philadelphia—a session to which President Roosevelt and some Communist leaders, among others, sent greetings. Weaver was not a member of the Congress. The House Un-American Activities Committee labeled the organization a red front two years later.

• In 1940, Weaver sat in the audience—not as a member—at another meeting of the Congress in Washington. He said he went to hear A. Philip Randolph, a Negro leader, denounce the Communists.

• In 1948, he endorsed a program of the Council on African Affairs, but was not a Council member. Two years later it was cited by the Attorney General.

• In 1939, he endorsed a program by the Negro People's Committee to Aid Spanish Democracy—a group that Weaver now says "deserves citation," which it got in 1944.

• In 1944, he was listed as a sponsor of a testimonial dinner for a labor leader later ousted for Communist leanings. Weaver said he was then an "admirer" of the honoree for his work in behalf of job opportunities for Negroes.

Writings Are Cited

Blakely also raked Weaver for various of his writings, including a 1946 article praising Russian strides in antidiscrimination, and because his 1948 book "The Negro Ghetto" was listed among "books of lasting value" by a Communist-run bookstore in New York.

He also paid unusual notice to the fact that the book was reviewed by a Communist magazine, Masses and Mainstream. When Weaver asked the Senator to identify the reviewer, this exchanged ensued:

Blakley: "This seems to be by J. Crow, Realtor."

Weaver, amid audience laughter: "Who?"

Blakley, straight-faced: "J. Crow, Realtor. Do you know J. Crow?"

Weaver: "I did not know he wrote book reviews."

Later it developed that this was the caption on the book review, not the reviewer's name.

Blakley also queried Weaver about the National Association for the Advancement of Colored People, of which he has served as board chairman.

Concern Extended

To nobody's surprise, the Senator's concern about the NAACP extended deep into the heart of Texas.

Speaking to the Senate on Thursday, Blakley saw Weaver as a man who would undermine "the right of a white person to have the freedom of his choice to live in an all-white community."

firmed Thursday as Administrator of the Housing and Home Finance Agency, has a sixth floor unit in the Capitol Park Apartments, 800 4th st. sw.

This puts him deep in the heart of an area of the city that was noted for squalor and vice when Weaver was growing up. "My people wouldn't let me go there," he recalled yesterday.

Symbol of Misery

In the years that followed, pictures of those slums with the Capitol in the background became symbols of the national slum clearance crusade.

Weaver left Washington for other jobs and ultimately became vice chairman of the New York City Housing and Redevelopment Board, counterpart of the District's Redevelopment Land Agency.

Now, Weaver says, the Southwest has become "the epitome of what urban renewal can and should do." It has provided "good housing and advanced architectural planning."

Investors Praised

The new Administrator, who will be sworn in at 9:30 a. m. in the White House, had particular praise for the early private investors in the Southwest—notably his own landlord, James H. Scheuer.

He also lauded James G. Banks of the Redevelopment Land Agency for running an excellent program for relocating former slum dwellers in decent housing.

"At the time, it was probably the finest job in the country," Weaver said. "Now other cities have caught up."

For now, Weaver's wife will not join him here except on weekends. She will continue teaching speech therapy at Brooklyn College at least through the present semester.

Weaver's apartment, a one-bedroom efficiency unit, gives him a good opportunity to keep a close look—informally, at least—at the new Southwest.

New Renewal Inspiration for Weaver

The Washington Post
Washington, D.C.
Sun. 2-12-61
B-3

By Jack Eisen
Staff Reporter

Robert C. Weaver, who takes office today as head of the Nation's housing and renewal programs, has been "overseeing" Southwest Washington's redevelopment first hand for a month. He lives there.

The 53-year-old Washington-born official, who was con-

SENATE CONFIRMS CHOICE OF WEAVER

Housing Chief Approved by Voice Vote—Southerners Renew Their Objections

Special to The New York Times.

WASHINGTON, Feb. 9—The Senate confirmed President Kennedy's nomination of Dr. Robert C. Weaver as Federal Housing chief tonight. The action ended three days of Southern opposition.

Dr. Weaver's confirmation came on a voice vote, after the White House had insisted on speedy action.

The 55-year-old appointee, vice chairman of New York City's Housing and Redevelopment Board, will be administrator of the Housing and Home Finance Agency. He will fill the highest Federal post ever held by a Negro, heading an agency for which President Kennedy has planned Cabinet status.

After the vote, Dr. Weaver issued a statement of appreciation. He said it would be his purpose "to work with all the members of the Congress toward our common goal of better homes and better communities for all Americans."

N. A. A. C. P. Role a Factor

Southern opposition to Dr. Weaver's nomination was inspired by his past advocacy of "open occupancy" in federally subsidized housing and by his role as chairman of the board of the National Association for the Advancement of Colored People.

Yesterday, after two days' of often heated testimony, the Senate Banking and Currency Committee, headed by Senator A. Willis Robertson, Democrat of Virginia, approved Dr. Weaver's appointment by a vote of 11 to 4.

After the committee's vote, Senator Robertson predicted a delay in action by the Senate until Feb. 20, following the customary informal recess for Lincoln Day speeches by Republican members.

Today, however, the assistant majority leader, Senator Hubert H. Humphrey, Democrat of Minnesota, received unanimous consent to bring the nomination to the floor without further delay.

Other Choices Approved

Before approving Dr. Weaver's nomination, the Senate approved several other Kennedy appointments. Those confirmed were:

James E. Webb, former Budget Director in the Truman Administration, as director of the National Aeronautics and Space Administration.

Nicholas deB. Katzenbach of Chicago to be an assistant attorney general in charge of the Justice Department's Office of Legal Counsel.

C. Daniel Martin Jr. of Santa Monica, Calif., an auto dealer, to be Under Secretary of Commerce for Transportation.

Louis Falk Oberdorfer, a Washington lawyer, to be an assistant attorney general in charge of the Justice Department's Tax Division.

Rex M. Whitton, head of the Missouri Highway Department, to be Federal Highway Administrator.

Brig. Gen. William R. Shuler to be a member of the Mississippi River Commission.

Attacks Repeated

Southern Democrats and one Republican repeated their earlier attacks on Dr. Weaver's loyalty and his views on racial integration. Only a few Senators were on hand.

Senator Robertson said the Democratic leadership had brought up the Weaver nomination in violation of an agreement that no controversial matters would come before the Senate until Feb. 20.

He was followed by Democrat Senators John J. Sparkman of Alabama, William A. Blakley of Texas, Strom Thurmond of South Carolina, John C. Stennis of Mississippi and James O. Eastland of Mississippi, and a Republican, Senator Wallace F. Bennett of Utah.

Republican Senators Prescott Bush of Connecticut and Jacob K. Javits and Kenneth B. Keating of New York, and Senator Paul H. Douglas, Democrat of Illinois, were among those who championed Dr. Weaver's loyalty and competence.

Senators Robertson and Eastland were not on hand when the voice vote was finally taken. There appeared to be four or five "noes" and perhaps a dozen "yeas."

Dr. Weaver's Brilliant Display

If there were any doubts as to the competence of Robert C. Weaver to administer the complex affairs of the Federal Housing Administration, they were dispelled by his brilliant display of know-how at the MEET THE PRESS television program on April 9.

Those who occupy the chair in an inquiry of this character, as a rule have a tactical advantage of time and issue: they know and prepare in advance what they want to ask, and the kind of fire to build under their guests.

The questions shot at Dr. Weaver had in many instances, political and racial overtone. Nevertheless, he parried them all with dexterity and suavity of a seasoned warrior. His language was crisp, his meaning uncloudy.

He was sharp, direct and positive. He never hesitated a moment to correct false impressions, even when a reporter attempted to corner him with such a question as whether Dr. Weaver was the only person under consideration by President Kennedy for the proposed cabinet post of Secretary of Urban Affairs.

His answer was a categorical no; and that he had no occult way of reading the President's mind. Some of the issues raised by the panel of newsmen were painfully narrow, and obviously were intended more to confound Dr. Weaver than to elicit information about the housing policy under his administration.

He proved to be a tough customer. He was calm, incisive, and with a sardonic smile that had all the subtle meaning that he knew more about the subject on which he was being quizzed than his questioners.

The newsmen soon realized that they were dealing with a master technician who knew both the economics and the sociology of housing from A to Z. So they changed their belligerent, harassing mood to one of sweet reasonableness. And the whole thing ended on a note of cordiality. It looked as though they wanted to say to Dr. Weaver: "well done, brother. You know your stuff."

The net effect on the television audience was that the reporters had, for once met a man with whom they could match neither wit nor intellect. Any more vicious questions would have embarrassed them as well as exposed their ignorance or racial bias.

So they stopped. They were flabbergasted by Dr. Weaver's keen perception of his job and the faultless logic he employed to defend his position and policy.

It was a fine hour for all who believe that training and ability—not race or skin color—should be the sole index to a man's qualification for a job in a democracy. Weaver fully justified the confidence placed in him by President Kennedy.

PRESIDENT EXPRESSES CONFIDENCE IN WEAVER

Atlanta Daily World
Atlanta, Ga.

WASHINGTON — (SNS) — Stepping into the highest post ever held by a Negro in the executive branch of the federal government, Robert C. Weaver of New York, Saturday became the nation's housing chieftain despite Southern opposition.

After swearing-in ceremonies in the president's office before Mrs. Weaver, the president, a dozen newsmen and Herbert Miller, who administered the oath, President Kennedy stated:

Sun. 2-12-61

"I have the highest confidence in Mr. Weaver's loyalty, integrity and ability."

HOPE FOR FUTURE

Kennedy further stated: "I hope that under Weaver's tenure as administrator of the Housing and Home Finance Agency, the nation's program of redeveloping decaying cities will be speeded and improved."

Some 25 million Americans are living in substandard housing, Kennedy said, and Weaver has been charged with the responsibility of leading a national effort to correct that situation.

The 53-year-old Weaver stated that he was both "humble and joyous" at the challenge and responsibility conferred upon him.

F. Kennedy as administrator of the multi-billion-dollar Federal Housing and Home Finance Agency. Pending Senate confirmation, this is the highest Federal administrative office ever held by a Negro.

The most shocking attempt to defame Dr. Weaver came Sunday when Sen. Allen J. Ellender, D-La., told a national TV network audience that he had heard reports in Washington that the man selected by the President to head the housing agency has Communist affiliations.

SEN. ELLENDER admitted that this was pure "gossip" but declared he would oppose Dr. Weaver, anyway. He said he was depending upon the much-disputed House Committee on Un-American Activities to furnish "evidence" to be used against Senate confirmation of Dr. Weaver, who holds a Ph.D| from Harvard and is vice president of the New York Housing and Redevelopment Board.

This committee, packed with southerners, has been under fire in recent years for its attacks and smears upon any and all leaders who came before it with moderate attitudes iu racial matters.

W. J. SIMMONS, head of the White Citizens Councils of Mississippi and other states, joined the character assassins with an assertion that Dr. Weaver had been associated with "at least six pro-Communist organizations."

Senate opposition to Dr. Weaver's confirmation centers around Chairman A. Willis

filed suit when a beauty shop refused to accept his wife.

On another occasion he refused service at a restaurant which turned him down because of his race then offered to serve him when it discovered he was the world's heavyweight champ.

Journal & Guide

"I DON'T want to be served because I'm the champ," he told the press after the incident, "I want to be served because I'm a human being and an American citizen."

1-28-61

Since the fighters had agreed to terms, which had been disclosed along with the announcement of date and site a month ago, Patterson's insistence on the no-segregation guarantee was the only new item emanating from the signing ceremony held here.

MIAMI BEACH Mayor D. Lee Powell, acting for his city boxing commission, assured the heavyweight champion that no segregation would be permitted in Convention Hall.

But Patterson insisted that Feature Sports Inc., of New York, promoter of this as well as his second fight with the Swede here last June, put up a forfeit check.

"I SHALL be the sole judge," said Patterson, "whether everyone who wants to see the fight has the right to buy the seat of his choice. If there is segregation, I'll collect the $10,000 and turn it over to the National Assn. for the Advancement of Colored People.

"Otherwise, it returns to the promoter. Under these terms if there is segregation, I'll go through with the fight and the NAACP will profit."

Southerners Oppose His Selection

Journal and Guide
Norfolk, Va.
1-28-61

But Other Senators Back JFK Choice For Housing Post

Special Correspondence

WASHINGTON — Southerners have opened a massive smear campaign against Dr. Robert C. Weaver, who was appointed by President John

Dr. Weaver Is Worthy Of Position

Atlanta Daily World
Atlanta, Ga.
1-28-61

Confirmation of Dr. Robert C. Weaver, by voice vote of the United States Senate, is a healthy sign of our times, and stands before the eyes of the world that Negroes are gaining greater heights in our national government with the passage of years.

Dr. Weaver has a record and reputation as a greatly deserving man of courage, liberalism, good work and training. He is well deserving of the confidence of the President of the United States and the Federal Bureau of Investigation.

He will serve as the highest ranking Negro official in the federal government. Probably this very fact aroused so many Southerners to oppose him. Word of alleged connections with questionable organizations was not even hinted at first, and later when Southerners tried to drive this as a wedge, it was clear that Dr. Weaver was not a part of any such action.

To be attacked because he joined organizations over twenty years ago, and then left them when there was doubt, was, as Senator Joseph Clark, Democrat, of Pennsyvania, said a situation that offers a "climate of decay."

And like that Senator this paper will follow his example and "not dignify the ridiculous charges made against his patriotism."

We equally feel as Republican Senator Jacob Javits who declared that millions of colored people around the world "want to know if a Negro can occupy a great office in the United States."

Alabama's Junior Senator, John Jackson Sparkman, according to newspaper reports, voted against the confirmation of Dr. Robert C. Weaver as Federal Housing Administrator. He cast one of the four dissenting votes against the Harvard-trained scholar as a ranking member of the Senate Banking Committee which conducted hearings on Dr. Weaver's qualifications and fitness. Eleven other senators voted to confirm the distinguished scholar and authority on housing.

Senator Sparkman voted as he was expected to do. However he is quoted as not opposing Dr. Weaver because of racial prejudice against him or the ethnic group with which he is identified. He is quoted as saying: "My fear is that Dr. Weaver's personal backing of open occupancy in federal housing may harm our program, especially in the South."

Racial bias in federal housing is a continuing challenge to those who believe in fairplay and the golden promise of American democracy. Dr. Weaver today stands as a symbol of the quest for housing democracy and the need for the federal government to square its practices with the stated national policy of this nation. To his credit, Dr. Weaver did not compromise his views or tailor his testimony to satisfy those who have not yet come to see the need of rooting out racial discrimination in housing.

Senators Back Weaver, 11 to 4, After Clashing Over Testimony

By PETER BRAESTRUP
Special to The New York Times

WASHINGTON, Feb. 8—The Senate Banking and Currency Committee approved today the nomination of Dr. Robert C. Weaver to be the Federal housing chief.

The vote, taken after a brief but sometimes heated second round of testimony, was 11 to 4.

Dr. Weaver was nominated by President Kennedy to be administrator of the Housing and Home Finance Agency, which the President intends to give Cabinet status. Dr. Weaver, vice chairman of the Housing and Redevelopment Board in New York City, would thus have the highest Federal position ever held by a Negro.

The opposition to Dr. Weaver was led by the committee chairman, Senator A. Willis Robertson, Democrat of Virginia. He was joined in the voting by two Democrats, Senators John J. Sparkman of Alabama and William A. Blakley of Texas, and a Republican, Senator Wallace F. Bennett of Utah.

Yesterday, Senator Robertson delayed the start of hearings on Dr. Weaver until President Kennedy sent him a letter certifying that the nominee had been investigated by the Federal Bureau of Investigation. Today the Senator did not press the question of Dr. Weaver's loyalty.

After the vote, Senator Robertson said that Senator Paul H. Douglas, Democrat of Illinois, would formally report the Weaver nomination to the Senate tomorrow. He said that a recess for Lincoln's birthday speeches by Republicans would delay a Senate roll-call vote until Feb. 20.

Later, however, Senator Hubert H. Humphrey of Minnesota, the assistant majority leader, assured pro-Weaver committee members that the nomination would be taken up tomorrow on the Senate floor. He said that he and the majority leader, Mike Mansfield of Montana, would ask that Dr. Weaver be confirmed by unanimous consent, thus avoiding a roll call vote.

President Kennedy, it was understood, has insisted on Senate action before the recess.

Dr. Weaver's opponents will state their case on the Senate floor but there "will be no delaying tactics," Senator Robertson said.

Senator Douglas estimated that "perhaps thirty" of the 100 Senators would vote against confirming Dr. Weaver.

Pressure by Mansfield

It was Senator Douglas who moved that the committee vote today in executive session on Dr. Weaver's nomination, saving further discussion for the Senate floor. It was understood that the majority leader, Senator Mike Mansfield of Montana, had urged Senator Robertson to stop delaying a vote.

Today, Senators Douglas and Joseph S. Clark, Democrat of Pennsylvania, took issue with Senator Blakley's questioning of Dr. Weaver's loyalty.

Yesterday and again today, Senator Blakley brought up Dr. Weaver's alleged connections with "Communist-affiliated" groups during the Thirties and Forties.

Dr. Weaver said that he had attended several meetings of such groups but had never been an active member of any of them.

Senator Clark interrupted:

"I have no desire to participate in an unfair smear of this nominee."

Ends Questioning

When Senator Blakley sought to put into the committee record a review from Masses and Mainstream of Dr. Weaver's book "The Negro Ghetto," Senator Douglas said that this was "reaching pretty far."

Senator Blakley ended his questioning at that point.

Two other witnesses were heard. The first was Oscar H. Brinkman, executive secretary of the National Apartment Owners' Association, Inc., which he said represented "between 12,000 and 15,000" landlords in forty states. He opopsed Dr. Weaver's nomination.

Mr. Brinkman said that Dr. Weaver's "espousal" of rent control and public housing indicated an approach leading to "ultimate socialization" of private housing. He attacked Dr. Weaver for his role as board chairman of the "militant and radical" National Association for the Advancement of Colored People and for his advocacy of racial integration in housing.

Asks to Take Stand

A second witness came unannounced.

Sitting among the spectators, Jay Creswell, a retired businessman from Orlando, Fla., leaped to his feet at the close of Mr. Brinkman's testimony and asked to speak as a "private citizen."

Mr. Creswell said that he had found the "door blocked" to qualified Negroes seeking Federally guaranteed housing loans. He said that he had worked to ease these barriers and had suffered retaliation from Southern whites.

"I can tell you there was rejoicing in colored families and in churches all through the land," he said, when Dr. Weaver's appointment was announced.



Associated Press Wirephoto

WINS APPROVAL: Dr. Robert C. Weaver appearing yesterday before Senate Banking and Currency Committee. The committee voted, 11 to 4, to recommend his approval by the Senate for post of Federal housing administrator.

GOPs And Dems Set To Block Weaver's Uprank

WASHINGTON (ANP) The elevation of Housing Administrator Robert C. Weaver to Cabinet status as head of a proposed department of urban affairs is being bitterly opposed here by two groups -- southern Democrats and Republicans --who claim they are not acting in concert.

The southern Democrats are opposing the proposal of President Kennedy because Weaver who is most likely to head up the department is a "security risk."

The Republicans to, disclaim that they are impelled by racial considerations, declaring it is a device to extend the authority of the federal government.

However both groups, frequently in the past, have combined forces to defeat civil rights legislation. It has been noted that their pointed. disclaimers of racial motives in their opposition suspect.

Weaver Would Be Cabinet Member In JFK Program

WASHINGTON (ANP)—President Kennedy's $3.8 billion, 10-point housing program which was unveiled last week includes a recommendation that Robert R. Weaver be named head of a new housing and urban affairs department, thus making him the first American Negro to hold cabinet rank.

The message was prepared after the President studied recommendations by Weaver who is now Housing and Home Finance Administrator, and a task force headed by former New York State Housing Administrator Joseph P. McMurray.

The program proposes easier home purchase terms for moderate to low income families, more public housing, and vast aid for city slum clearance.

The President did not put a cost figure on the over-all program, but housing officials estimated the total would run to about 3.8 billion dollars over the next several years. Of this, nearly 2.8 billions would be in out-right grants and more than a billion in federal loans.

The biggest money item in the plan is 2.5 billions in grants to be authorized over 4 years for urban renewal—slum clearance.

For families of modest means the President urged a new Federal Housing administration program permitting them to buy homes costing up to $18,500 with no money down and mortgage payments spread over 40 years.

Under present FHA mortgage insurance rules, a down payment of at least 3 per cent is required on such homes and mortgages are limited to 30 years.

Dr. Weaver testifies before Senate sub-unit

WASHINGTON
WASHINGTON

Robert C. Weaver, Housing and Home Finance administrator, Tuesday became the first colored government official to present to a congressional committee the views of an administration on major legislation.

Appearing before the Senate Banking and Currency Housing Subcommittee, of which Senator John J. Sparkman of Alabama is chairman, Dr. Weaver explained Administration proposals for the improvement of housing and living conditions of millions of Americans.

The bill before the committee contains no safeguards against racial discrimination or segregation in federally-assisted housing.

Dr. Weaver himself believes in "open occupancy." But he has stated that his job is to administer the law and that policy will be made by the President or the Congress.

THE ADMINISTRATION proposals also do not contain any provisions for establishing a new Cabinet-rank Department of Housing and Urban Affairs.

Presumably President Kennedy will send to the Congress a reorganization plan bringing together in such a department existing housing and community development programs. In his special message on housing he said he would offer a proposal for the establishment of the Cabinet-rank Department of Housing and Urban Affairs.

The proposed bill, on which Dr. Weaver testified, would authorize new programs under the Federal Housing Administration for 40-year, no down payment mortgages on private housing for moderate income families. Mortgage limits would remain at $9,000 to $15,000 in areas with highest construction costs.

* * *

TO MEET THE needs of families with incomes too high for low-rent public housing, the bill provides a new program of long-term, low interest rate, 100 per cent loans for rental and cooperative housing developments.

The loans would be financed from the Special Assistance funds of the Federal National Mortgage Association, which finances selected types of residential mortgages that are originated under special housing programs.

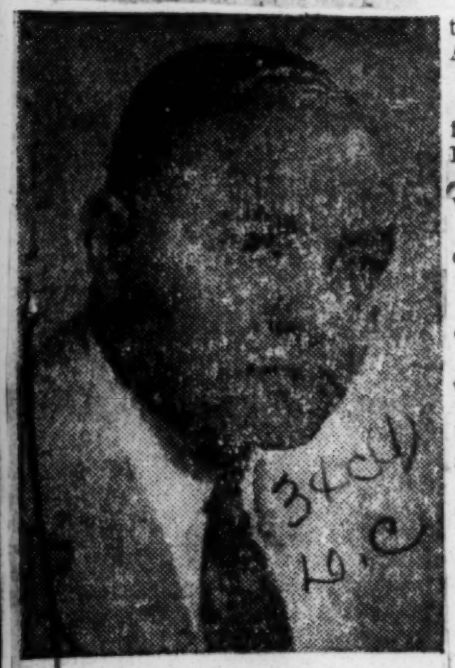
Dr. Weaver told the committee that low-income families, who are generally forced to occupy substandard housing, "can only be helped by direct government subsidy."

34c(1) 1961 D.C.

Kennedy Names Negro Reporter Asst. State Secretary Deputy

Atlanta Daily World 3-7

WASHINGTON—President Kennedy Tuesday named Carl T. Rowan, Negro reporter with the Minneapolis Star and Tribune since 1949, to the post of Deputy Assistant Secretary of State for Public Affairs.



CARL ROWAN

Mr. Rowan's appointment was announced along with several others, including Arthur S. Schlesing, Jr., Harvard professor, as a special assistant to the president.

Rowan, who has visited Atlanta, and the news room of the Atlanta Daily World is 35 years old, and has done work previously for the federal government, both as a member of the armed forces and as a special state department deputy.

The young reporter, who has won awards every year since 1960, served with the U. S. Navy for three years during 1953, and was one of the first 15 Negroes to be commissioned by the navy.

He previously served as a special deputy for the state department to interpret the role of Americans to Asians in the role of the U. S. newspaper and Social Change.

In 1954 he was selected one of the United States ten outstanding men of 1953 by the U. S. Junior Chamber of Commerce.

In 1952 Rowan was recipient of the Sidney Hillman Award as the Best Reporter of the Year. In 1956 he became the only reporter to win the Sigma Delta Chi Journalism Award three times.

These three awards were for:

1. The best foreign correspondent for his series of articles on South East Asia.
2. His coverage of the historic Vandung Conference.
3. His coverage of the conference on India.

Rowan is author of three books:

1. "The Pitiful and Proud," based on India.
2. "Go South to Sorrow," an evaluation of integration since the 1954 Supreme Court decision outlawing racial segregation in public schools.
3. "South of Freedom," based on conditions existing in Dixie.

One of his books was dedicated to his wife, Barbara, and sons, Carl, Jr and Jeffry.

Rowan's education was begun in Tennessee. He was graduated from Barnard High School, in McMinnville, Tenn. He attended Tennessee State University after being released from the Navy. He studied at Washburn University, Topeka, Kas., and Oberlin College, Ohio, where he obtained a bachelor's degree in mathematics. He later attended the University of Minnesota where he got his Master's degree in Journalism.

Rowan also has been awarded the American Teams Work Award of the National Urban League.

NEGRO NAMED HIGH POSTAL OFFICIAL

Birmingham World
Birmingham Ala.
Sat. 2-25-61

WASHINGTON — (UPI) — President Kennedy Tuesday nominated Christopher Columbus Scott, a Negro, to be deputy assistant postmaster general for transportation. It is the highest position for which a Negro has been named in the Post Office Department.

Scott, 58, is a career employee of the postal service who started as a substitute clerk in the Los Angeles post office in 1923. He is now superintendent of outgoing mail in that post office.

Campaign Adviser Gets $19,000 Job

Washington Lawyer Begins New Duties Immediately

34c(1) D.C.

Special Correspondence

WASHINGTON — Frank D. Reeves, an attorney and Democratic National Committeeman, has been appointed to the position of Special Assistant to the President, the White House announced Monday night.

The 45-year-old lawyer will begin his new duties immediately. In this position, Mr. Reeves will serve as adviser to President Kennedy on civil rights and other national issues.

THE POSITION reportedly pays a salary of $19,00 per year, and in it Mr. Reeves is expected to continue his law practice as a member of the firm of Reeves, Duncan and Robinson in Washintgon.

Earlier reports were to the effect that Mr. Reeves would be appointed to the District of Columbia Board of Commissioners. There is still that possibilty — at a future date when there is a vacancy on the Commission.

THE APPOINTMENT was announced by the White House Monday night. It had been anticipated in informed political circles for several weeks.

During the recent campaign Mr. Reeves was adviser to the Democratic candidate on civil rights affairs, and traveled extensively with Mr. Kennedy throughout the country. He also had been active in the campaigns when Adlai Stevenson was the Democratic candidate.

Presidential Assistant



FRANK D. REEVES
Presidential Assistant

THE PRESIDENT of the Board of Commissioners, Robert E. McLaughlin, said in a recent television interview that the appointment of a Negro as a District of Columbia commissioner would be "good for civilization at large." Fifty-four per cent of the District's population is colored.

Meriwether Gets His Appointment

The Commercial Appeal

But Bitter Senate Fight Goes On Before Naming To Import-Export Job

From The Commercial Appeal Washington Bureau

WASHINGTON, March 8. — Charles Minor Meriwether Jr., formerly of Memphis, was confirmed by the Senate 67 to 18 Wednesday as a director of the Export-Import Bank after the bitterest battle waged thus far against one of President Kennedy's appointees.

The Senate gave its "advise and consent" to the appointment despite a heavy barrage of charges leveled against the 49-year-old former E. H. Crump & Co. employe.

Senator Wayne Morse (D., Ore.) called the appointment a "horrendous mistake." He charged Mr. Meriwether has a police record and wanted to know if he once wasn't fired from the Utopia Dry Cleaning Co. in Birmingham for drunkenness.

Sparkman Replies

Senator John Sparkman (D., Ala.) instantly replied to the inference by saying he regretted to see the hand of the late Senator Joe McCarthy raised again on the Senate floor.

Underlying much of the criticism were newspaper articles which have attempted to identify Mr. Meriwether with anti-Negro, anti-Catholic, anti-Jewish and pro-Ku Klux Klan views of some Alabama political elements.

Supporting Mr. Meriwether in the showdown vote were Senators Sparkman and Lister Hill (D., Ala.) and both senators from Tennessee, Arkansas, Missouri, Mississippi, Kentucky and Louisiana.

At a news conference latering on the board of the Export-Import Bank," he said.

Wednesday President Kennedy reaffirmed his confidence in Mr. Meriwether's ability and integrity.

And Mr. Meriwether told newsmen he is grateful for the nomination as well as for the Senate confirmation.

"This expression of confidence in my ability is reassur

Alabama's chief insurance officer to accept the $20,000 a year Export-Import Bank job.

The next day cover the check. The hotel the car owner and the dropped their complaints, and Mr. Meriwether covered the check. Mr. Meriwether said the check. Mr. Meriwether went no further, but The car owner contacted Birmingham police, who arrested are still recorded on the police docket in Birmingham.

Concerned About Check

Mr. Meriwether for driving the Utopia drove it to Birmingham, put it in a garage, and checked into a hotel.

In 1947 by during

worked as ed buyer ous, Miss., 's car in na. Once, ston, Ala., agreement old him to cashed, called his bank, and wasterson's campaign. He will re- told he had insufficient funds to sign his $10,000 a year job as umbus, He

Three New Congressional Employes Brighten D. C.



FORMER COURIER scribe, Mrs. Thelma Webb Griffin, who was a reporter on her high school publication at Clairton (Pa.) High School, was elevated from part-time to full-time secretarial duties in the office of U. S. Senator Clifford P. Chase (R.-N. J.). —Cabell Photo



MRS. VALERIE F. PINSON of Newburgh, N. Y., was recently appointed to the congressional office staff of Senator Thomas J. Dodd (D.-Conn.) as a secretary. Mrs. Pinson is married to Thomas J. Pinson of Vicksburg, Miss., who is the head of oral surgery in the Howard University School of Dentistry.—Cabell Photo



MRS. HARRIETTA HARTWELL of Allison Park, Pa., is one of the newly appointed clerk-typists in the office of Senator Joseph S. Clark (D.-Pa.). Senator Clark is a member of the Committees on Banking and Currency, Post Office, Civil Service, Labor and Public Welfare.—CabellPhoto

Dudley Reeves Selections Raise Important Questions

(Courier Press Service)

Last week, two more Negroes were awarded the golden apples of high-prestige political posts. One came as a surprise, while the other left many questions unanswered in the minds of politically abused Negro voters.

Judge Edward Richard Dudley, a justice on New York's Domestic Relations Court for the past five years, was the unexpected choice to fill the unexpired term of Hulan Jack as the president of the Borough of Manhattan.

A few hours before news of Dudley's selection was released, Frank D. Reeves, a Washington (D. C.) attorney and National Committeeman for the District of Columbia, was appointed special assistant to President Kennedy, a post similar to that once held by E. Frederick Morrow.

■

DUDLEY, who won the $25,000-a-year post by a 4-2 vote of the Manhattan City Council, was the choice of New York City's Mayor, Robert I. Wagner, who maneuvered his election.

Dudley's victory came as a setback to Tammany Hall politicos and their acknowledged leader, Carmine G. DeSapio. Tammany's choice was Assemblyman Lloyd E. Dicken, also a Negro.

By securing Dudley's appointment, Wagner halted the recent downward trend of his political career and probably improved his standing with the new Kennedy administration in Washington.

The Dudley appointment also may have repercussions for Congressman Adam Clayton Powell and J. Raymond Jones, his close Harlem ally, and former campaign manager. It might offer them a chance to strengthen their hold on New York's vote-heavy Black Belt.

Meanwhile on the Washington front, Reeves, one of the delegates who seconded Kennedy's nomination at the Democratic Convention last year, was supposedly the leading contender to become the first Negro member of the D. C. Board of Commissioners.

In fact, a premature, unofficial report had it that Reeves had been appointed to the board which is the top administrative body in the nation's capital.

■

A RELEASE from the White House, shortly afterwards, clarified Reeves' actual appointment and stated that Commissioner Robert McLaughlin, the man he was supposed to have replaced, would serve until June when he would be eligible for retirement benefits.

Though the present post will give Reeves close contact with the inner workings of the administration, Washington Negroes, who constitute more than half of the D. C. population, are curious as to whether or not he will get the board appointment in June.

They have been galled by the failure of recent chief executives to appoint one of their number to the powerful board. For the next few months they can only sit anxiously and wonder whether Reeves will get the appointment; if not him, will another Negro get it, and if so, WHO?

■

IN NEW YORK, the appointment of Dudley as Borough president, has raised equally important questions, the primary one being whether this spells the end of the Tammany political hegemony. Since it shuts off one of DeSapio's last patronage sources.

However, Dudley's qualification for post have not been questions have not been questioned seriously. He is a former Ambassador to Liberia and was the first Negro to hold such a post. As assistant special counsel for the NAACP, Dudley stumped the country bringing injunction suits against Southern schools to equalize teacher salaries.

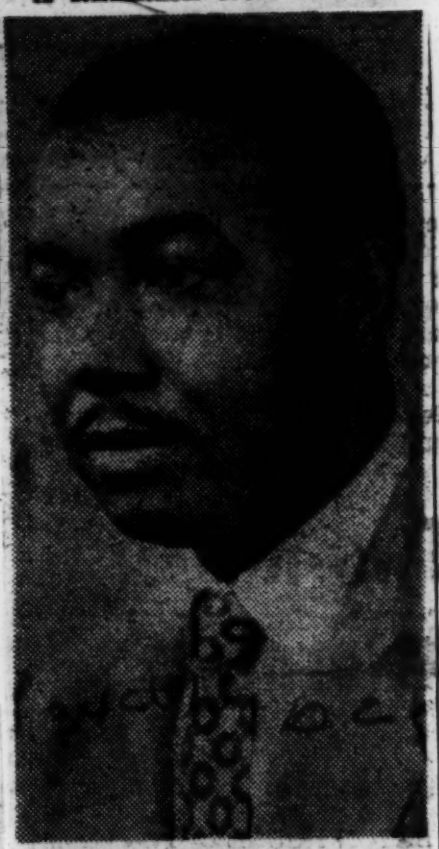
His uncle, former New York Assemblyman Edward A. Johnson, was the first Negro elected to the State Legislature and served with Wagner's father in that body.

■

IN A TELEVISION interview, Dudley said that he expected to work closely with the Mayor in the problems he faces.

"Political problems?" he was asked.

"All problems," he replied.



KENNEDY AIDE—Washington attorney Frank Reeves, who has been named by President John F. Kennedy as a special presidential assistant.

34c(1) 1961 D.C.

THREE NEGROES APPOINTED TO STAFF POSITIONS

TREASURY

CHARLES A. DORSEY, ECONOMIST ON DEBT ANALYSIS
JESSE JOHNSON, MANAGEMENT ANALYST
ROBERT C. VOWELS, ECONOMIST, TAX ANALYSIS

3 More Negroes Join Treasury

United Press International

The Treasury announced Monday that three more Negroes have been appointed to staff positions as part of President Kennedy's drive to wipe out race bars in Government hiring.

They were Charles A. Dorsey, 39, to be an economist on the debt analysis staff; Jesse Johnson, 41, to be a management analyst, and Robert C. Vowels, 35, to be an economist on the tax analysis staff.

All three men are graduates of Howard University and live in Washington. Johnson, a former Howard official, is from St. Louis. Dorsey and Vowels, a Howard teacher, are natives of Baltimore.

34c(1) 1961 D.C.

DR. SAMUEL Z. WESTERFIELD, JR.
TREASURY STAFF- AS ASSOCIATE DIRECTOR OF THE
DEBT ANALYSIS STAFF IN THE OFFICE OF THE SECRETARY

Atlanta U. Dean To Treasury Staff As Expert on Debt

Pittsburgh Courier
Pittsburgh Pa.
Ed 4-15-61 P. 6
34c(1) 1961 D.C.

WASHINGTON — Tresaury Secretary Douglas Dillon has announced that Dr. Samuel Z. Westerfield Jr., dean of the School of Business Administration at Atlanta University, will join the Treasury staff on June 1 as associate director of the Debt Analysis Staff in the Office of the Secretary.

Until he takes over his new post at the close of the current academic year, Dr. Westerfield will act as a consultant to the secretary on domestic and international monetary affairs.

In announcing the appointment, Mr. Dillon said: "The treasury is fortunate in obtaining the services of Dr. Westerfield. As one of the nation's leading economists, Dr. Westerfield will be extremely helpful in the formulation of both domestic and international financial policy."

Dr. Westerfield has been dean of the School of Business Administration and professor of economics at Atlanta University, Atlanta, Ga., since 1952.

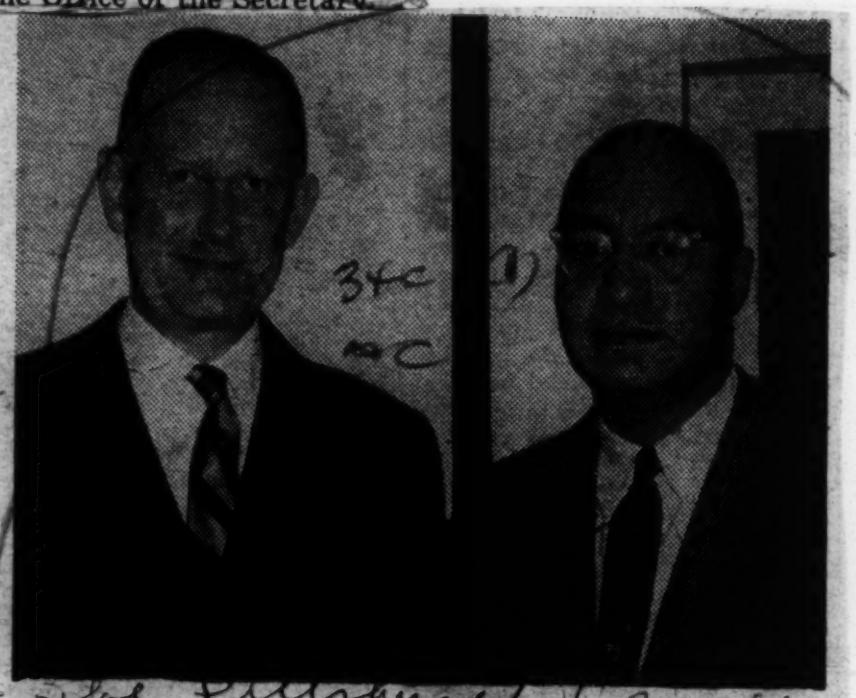
■

DR. WESTERFIELD has been an instructor of economics at Howard University, and a professor of economics at West Virginia State College, Lincoln University, and Atlanta University, as well as guest lecturer at University College, Addis Ababa, Ethiopia, and University College, Ibadan, Nigeria.

In 1959-1960, he was visiting professor at the graduate school of business administration of Harvard University.

Dr. Westerfield has also served as an economist during summer recesses, with the Bureau of Labor Statistics of the U. S. Department of Labor, the TVA, and the War Labor Board.

He is a member of the board of directors of the Atlanta Urban League, chairman of the Research Committee of the National Business League, and former treasurer of the All-Citizens Registration Committee.



34c(1) D.C.

DEBT EXPERTS—Treasury Secretary Douglas Dillon welcomes Dr. Samuel Z. Westerfield Jr., dean of the School of Business Administration of Atlanta University, to the Treasury Department. On June 1, Dr. Westerfield will become associate director of the Debt Analysis staff of the Treasury. Until then, he will serve as a consultant to the Secretary on domestic and international monetary affairs.

Dean Given Key Treasury Post

Chicago Defender
Chicago Ill
4(15-21)61 P. 41

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Dr. Westerfield has been dean of the School of Business Administration and Professor of Economics at Atlanta University, Atlanta, since 1952. He received his Ph. D. from Harvard University in 1950 and his master's degree a year earlier from the same University.

Born in Chicago, Nov. 15, 1919, Dr. Westerfield received his early education in Washington, D. C. where he graduated from Dunbar High school. He was the recipient of an Anson Phelps Stokes Scholarship and of fellowships from the Rosenwald Foundation and the Social Science Research Council in the years from 1940 to 1944.

Dr. Westerfield was married to Helene Bryant in 1946. They have two children, Samuel III, aged 14, and Sheila Helene, 9.



TREASURY SECRETARY DOUGLAS DILLON welcomes Dr. Samuel Z. Westerfield, Jr., Dean of the School of Business Administration of Atlanta Uuiversity, to the Treasury Department. On June 1, Dr. Westerfield will become Associate Director of the Debt Analysis Staff of the Treasury. Until then, he will serve as a consultant to the Secretary on domestic and international monetary affairs.

PEACE CORPS

34c(1) 1961 D.C. MR. R. SARGENT SHRIVER, DIRECTOR OF THE PEACE CORPS

Kennedy Brother-in-Law Heads Peace Corps

WASHINGTON, March 4 (UPI).—President Kennedy on Saturday appointed Sargent Shriver, his brother-in-law, as unpaid director of the Peace Corps. Shriver immediately called for a nation-wide recruitment program of "the best available talent."

A Chicago businessman and civic leader, Shriver, 45, who has been working for weeks to set up the pilot program, has formed a large staff of aides, including former Iowa football coach Forrest Evashevski, who will be a training program consultant.

The White House said Shriver's position corresponds to that of an assistant secretary of state, which usually carries a salary of up to $19,500 a year. But Shriver said he would serve without pay.

IDEAS SUBMITTED

Shortly after his appointment, the White House made public a report Shriver had submitted to Mr. Kennedy giving his ideas for the experimental corps, first proposed by Mr. Kennedy during the Presidential ampaign.

Shriver said the Corps will make millions of Americans "more directly involved in the world than ever before." He said it could add "a long awaited 'new dimension' to America's world policy."

The unique experiment in international cooperation should be a project of the whole American people, he said. The Corps, he added, "is not a diplomatic or propaganda venture, but a genuine experiment in international partnership."

NO RIGID AGE LIMIT

Announcing some details, he said most of the workers will be young college graduates, although "there should be no rigid age limit" for those serving the two-to-three-year terms overseas.

The volunteers in the first years should be spread through several countries in Latin America, Africa and Asia, he said.

Their work should include teaching English, working in world-wide programs to eradicate disease, helping to demonstrate agricultural techniques, and providing skill on large-scale construction and industrial projects.

NO EASY LIFE

But he warned that life would not be easy for the young men and women who will have to live by the standards of the country in which they are working. He said they should live in modest circumstances, "avoiding all conspicious consumption."

In addition, requirements will be rigid.

He suggested that once the Corps is a going concern, training for it should be included in the four-year college curriculum for those who want to go overseas.

Shriver also cautioned that reception of the Corps overseas might not be unanimously approved.

MARRIED TO SISTER

Shriver, who has been married almost eight years to Mr. Kennedy's sister Eunice, is former assistant general manager of the Merchandise Mart in Chicago, a Kennedy family operation. He was a member of the Chicago Board of Education from 1955 to 1960, and President of the board from 1956 onwards.

White House Press Secretary Pierre Salinger said Shriver would be nominated to a post approximating an assistant secretary of state, since there is no statutory provision for a peace corps director.

Mr. Kennedy has asked Congress to establish the corps on a permanent basis, and Salinger said the President's legislation would provide for a director to be confirmed by the Senate.

Shriver, a Yale graduate and a Second World War naval veteran, has served on boards and committees of the University of Illinois, Notre Dame University, the Yale School of Fine Arts and the Ford Foundation. He has also held leading positions in organizations involving hospitals, Boy Scouts, the Community Fund and child care.

Shriver's staff, besides Evashevski, includes:

Lawrence E. Dennis, of University Park, Pa., Vice President for Academic Affairs of Pennsylvania State University, who will have executive responsibility for the training program.



AP Wirephoto

R. Sargent Shriver, who has been appointed director of the new Peace Corps by President Kennedy. He will serve without pay.

CAREER IS DETAILED

(Dennis, 40, went to Penn State in 1954 as administrative assistant to the university president. He was appointed provost and vice president in charge of academic affairs in 1956. He is vice chairman of Gov. David L. Lawrence's Commission on Higher Education and is a member of the program committee of the People to People program set up by President Eisenhower in 1957.)

Dr. Arthur S. Adams, of Washington, president of the American Council of Education, who will supervise the training program for men and women accepted for overseas service.

OTHERS APPOINTED

Gordon Boyce, of Putney, Vt., president of the Experiment in International Living, who will develop the program to bring private agencies into the Peace Corps activities.

Lester Gordon, an official of the Development Loan Fund, detailed to help in program development and the preparation of legislation.

John D. Young, management director of the National Aeronautics and Space Administration, on loan to set up management services.

Bradley Patterson, former assistant secretary of the Cabinet in the Eisenhower Administration, to set up an executive secretariat.

Warren W. Wiggins, of Washington, a career expert on foreign aid, to develop peace corps programs and operations.

Albert G. Sims, of Riverside, Conn., vice president of the Institute of International Education, who is developing university programs.

Louis E. Martin, editor-in-chief of the Chicago Defender, developing programs with the United Nations and other international agencies.

Thomas H. E. Quimby, of East Lansing, Mich., business executive and former admissions officer at Harvard University, working on recruitment.

Edwin R. Bayley, of Madison, Wis., former newspaperman and assistant to Wisconsin's Gov. Gaylord Nelson, working on public information.

Morris B. Abram, Atlanta attorney, setting up a legal office.

Dr. Howard Rusk, New York, chairman of the physical medicine and rehabilitation department of New York University, who will be consultant on health programs.

Kennedy Picks Shriver To Head Peace Corps

The Sunday Star
Washington, D.C.

By GEORGE SHERMAN
Star Staff Writer

President Kennedy yesterday selected R. Sargent Shriver, his brother-in-law, as director of the Peace Corps.

He also released a report of a Shriver task gorce elaborating on plans for the Peace Corps, set up by the President last Wednesday.

Underscoring the importance ascribed to the Corps, the White House said the President will ask Senate confirmation of Mr. Shriver's appointment, although statutory authority for the Corps has still to be enacted by Congress.

Pending legislative action, Mr. Shriver's position in the Department of State will be at the level of Assistant Secretary, a $19,000-a-year job.

But he will take neither the title nor the salary, either now or when the Corps becomes permanent. He will leave his job as manager of the Merchandise Mart in Chicago, a Kennedy family enterprise, in order to devote full time to the new post.

The Presidential announcement also listed names of 14 men from inside and outside the Government whom Mr. Shriver has already assembled as nucleus of a Peace Corps staff.

Their individual responsibilities include working out university programs, private agency programs, health needs of the Corps, press relations, and legislative proposals.

Forest Evashevski, athletic director and former football coach at Iowa University, will serve on a part-time basis as "training program consultant."

Warren W. Wiggins, 38, a top program director at ICA, has been put in charge of developing program and operations of the Corps.

The Shriver report closely follows the lines set by the President in his press conference and the special message he sent to Congress. It touches upon the need, organization, cost and selection of Peace Corps recruits.

Washington, D.C.

Contributions Sought

The report recommends that Congress consider authorizing financial contributions and advice from American businesses, unions, civic organizations and the public at large.

Mr. Shriver said the need for skilled manpower is obvious in most of the developing nations of Latin America, Africa and Asia. Peace Corps recruits should normally serve two to three years each, Mr. Shriver said, in the fields of teaching, health, agriculture development, government administration, and big-scale building and industrial projects.

The Peace Corps should supplement, and not supplant, existing governmental and private aid efforts, his study said, and should become "a basic component of our whole overseas program."

"There would be a minimum of red tape involved," Mr. Shriver said. "The Peace Corps staff would follow the project to see that it was in fact worthwhile and soundly administered . . . and that no activities inconsistent with the Peace Corps were carried on, such as religious proselytizing or propagandizing."

No Draft Exemption

While there will be no general age limit or restriction as to sex, some projects will require mature persons and some will be open only to men or to women, Mr. Shriver said. He added:

"There should be no draft exemption because of Peace Corps service. In most cases service in the Corps will probably be considered a ground for temporary deferment."

The report foresees five channels for sending Peace Corps volunteers abroad: Through private agencies, universities, United States Government agencies, United Nations agencies, and directly administered Peace Corps programs. The central staff of the Corps will establish a pool of applicants in Nation-wide recruitment.

The report places great emphasis on integrating the Peace Corps into the four-year college curriculum once it is a going concern.

In Rutherford, N. J., Fairleigh Dickinson University announced that students joining the Peace Corps will be given credits toward their degrees, the AP reported. Dr. Peter Sammartino, president of the university, also said a limited number of Peace Corps students will be aided with $200 grants.

Subjects suggested for the Peace Corps study are: Intensive language study and completion of courses on history, economics, politics and culture of the area as well as "sufficient study" of American history and society.

Even after this in-college preparation, the report says, students would need special university training courses of six weeks to six months. Volunteers who are not college students also would need it.

The report looks toward recruiting the best qualified of this year's graduates, training them in the summer, and having "several hundred persons" ready for fall assignment.

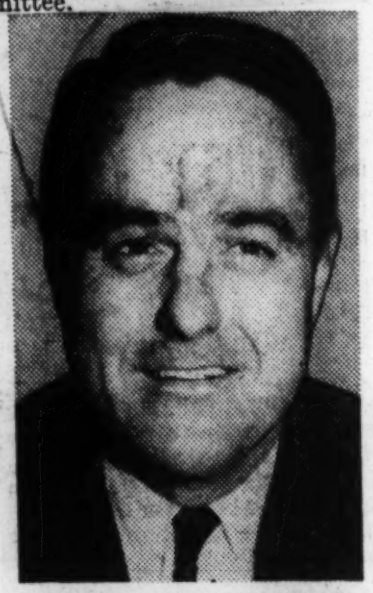
Sources close to the task force say that more than 50 per cent of the first recruits will be called upon to teach English.

The report does not estimate the cost of the Corps, but these sources put it around $10,000 per person annually, a figure double the $5,000 minimum set out in a recent report by the Colorado State University Research Foundation.

Avoid Cold War Tie

The Shriver report says it is important "that the Peace Corps be advanced not as an arm of the cold war but as a contribution to the world community."

The report suggests that the United States propose that other nations consider forming their own Peace Corps and that the United Nations form an international co-ordinating committee.



R. SARGENT SHRIVER
—AP Photo

Along these lines, the Associated Press reported from Cologne, Germany, that West Germany will establish a Corps to aid underdeveloped nations. Foreign Minister Heinrich von Brentano said the government has canvassed about 1,000 young German technicians, engineers, doctors and teachers on volunteering for work in underdeveloped nations.

He said the government's query generally had met with favorable response.

34c(1) 1961 D.C.

Meriwether Approval Seems Assured After Senate Vote

The Talladega Daily Home

By JACK BELL

WASHINGTON (AP)— President Kennedy appeared assured today of Senate approval for the bitterly debated nomination of Charles M. Meriwether as an Export-Import Bank director.

Talladega, Ala.

Meriwether, segregationist and political ally of Alabama Gov. John Patterson, weathered the first round of opposition to his appointment when the Senate voted 66-18 Tuesday against pigeon-holing his nomination.

Wed. 3-8-61

By agreement senators would end what has been acrid debate at 2 p.m. EST today to vote on the nomination.

Sen. Kenneth B. Keating, R-N. Y., one of those who sought unsuccessfully to send Meriwether's appointment to cold storage in the Banking Committee, predicted approval of Kennedy's choice. He said it was obvious that some Democrats were reluctant but had decided to go along with their new President.

The Senate's liberals who had led the fight against a nominee stridently assailed by Sen. Wayne Morse, D-Ore., split on the crucial vote on a motion of Sen. Jacob K. Javits, R-N. Y., to recommit the appointment to committee.

Most of the nine Republicans and nine Democrats who voted "yes" class themselves as liberals. But several of the same political persuasian joined Senate conservatives in rolling up the 66 votes to keep the issue before the Senate for final disposal today.

In testimony before the Banking Combmittee last week, Meriwether had denied that he was anti-Negro, anti-Semitic or anti-Catholic. He said he was never a member of the Ku Klux Klan but said he accepted support of persons closely connected with the organization when he managed Patterson's successful campaign in 1958.

Alabaman Named for Export Bank

The Evening Star Washington, D.C.

By the Associated Press

President Kennedy yesterday nominated Charles M. Meriwether of Montgomery, Ala., to be a member of the board of directors of the Export-Import Bank of Washington.

Mr. Kennedy had announced his intention to appoint Mr. Meriwether on January 30.

Subsequently, there was an FBI investigation of Mr. Meriwether, which White House Press Secretary Pierre Salinger insisted was routine.

Asked today whether the nomination indicated the investigation terminated satisfactorily, Mr. Salinger said:

"I take it to be the case."

Mr. Meriwether, 50, has been active in Democratic politics in Alabama and has served as president of the Alabama education and highway authorities, and as director of finance for the State.

Wed. 3-1-61

Mr. Meriwether is reported to have been active in the past in the white citizens' council and at one time served as campaign manager for John G. Crommelin in an unsuccessful race for the Senate.

Mr. Crommelin, a retired admiral, has been a bitter critic of racial desegregation. In 1958, segregationist John Kasper announced that Mr. Crommelin had been drafted to run for President on the States' rights ticket.

Wins first test 66-18— Meriwether seen assured of victory

The B'ham News B'ham, Ala.

Wed. 3-8-61

BY JAMES FREE
News Washington correspondent

WASHINGTON, March 8 —Charles M. Meriwether of Alabama today had survived the toughest test yet put to a nominee of President Kennedy. And this afternoon the Senate was expected to vote final approval of the Alabama state finance director as a member of the board of the Export-Import Bank.

A unanimous consent agreement calls for the showdown roll call starting at 1 p.m. Birmingham time.

The margain for confirmation loomed about the same as the 66 to 18 vote by which the Senate late yesterday rejected a "liberal" move to recommit—or kill—the nomination.

THIS PRELIMINARY, but decisive contest came as the climax of the most dramatic day the Senate has seen this year. The suspense did not measure up to the thin five-vote edge by which Speaker Sam Rayburn won his fight to liberalize the House Rules Committee. And once again Alabamians were in the thick of it.

Leaders of the battle against Meriwether often levelled their fire against the type of segregationist political campaign that Meriwether led in behalf of Gov. John Patterson in Alabama in 1958. And it was plain that only the unyielding backing and high prestige that President Kennedy threw into the fray brought Meriwether through as a protege of the Alabama governor.

Sen. John Sparkman (D., Ala.) Chairman A. Willis Robertson (D., Va.) of the Senate banking committee were the chief defenders of the Kennedy-Patterson nominee in the all-afternoon floor struggle.

Sen. Lister Hill (D., Ala.) voted for Meriwether on the roll call, but did not join in the debate.

SPARKMAN CLASHED head-on with Sen. Morse in the most exciting flare-up of the day. The Oregon senator, not content with the president's assurances that the Federal Bureau of Investigation reports on Meriwether were satisfactory, raised undocumented questions about a possible "police record" of the nominee.

Without naming his source or citing official records, Morse read the Senate a telegram he had sent to Meriwether in Montgomery the day before.

It asked whether Meriwether had ever been dismissed from the Utopia Dry Cleaning Co. of Birmingham for drunkenness and whether Meriwether had been arrested on Sept. 11, 1947, on a charge of issuing worthless checks and using an automobile without the owner's concent.

Morse said Meriwether's secretary had replied: "Mr. Meriwether out of city. Your telegram will be called to his attention immediately upon his return."

12

MORSE SAID his obvious conclusion was that Meriwether did not want to answer. The senator said he knew that "Meriwether's apologists would say he was drunk when he did this, but that's no answer."

THIS ETRAORDINARY personal attack by Morse provoked Sen. Sparkman to the bitter remark that he (Sparkman) hated to see the ugly head of McCarthyism raised in the Senate." Being compared to the late Sen. Joe McCarthy (R., Wis.) as an exponent of guilt by implication and inunendo was more than Morse could stand.

Morse refused to yield to Sparkman when the Alabamian sought to take the personal element out of their acid exchanges. "I will never again yield to the senator from Alabama," cried Morse, "until he erases the implication of the charge he has made against me."

"I'm doing my best to do it now," Sparkman put in. But Morse cut Sparkman off by shouting that he refused to yield further."

Later the two men were seen talking together quietly, so presumably their differences will be ironed out in time.

MORSE SAID HE KNEW that President Kennedy was only paying off a political debt to Gov. Patterson, who came out early in favor of Kennedy for president. But Morse branded the selection of Meriwether for this post "a nomination of gross incompetence."

Eloquent appeals for tolerance and unbiased action came from two Democratic liberal senators who refrained from voting in the Senate banking committee—which reported out the nomination last week by a thin five to four margin.

SEN. PAUL DOUGLAS (D., Ill.), said that the main charges against Meriwether were unproved. "About the worst we can say about him," said Douglas, "is that in 1958 as Gov. Patterson's campaign manager he did accept help from the Ku Klux Klan, and he may have shaped a state contract later toward the grand dragon of the Klan in the state.

Meriwether goes right to work after swearing-in

The B'ham News B'ham, Ala. Wed. 3-8-61

BY JAMES FREE
News Washington correspondent

WASHINGTON, March 14 — Charles M. Meriwether of Alabama—the most controversial of President Kennedy's nominees so far—was sworn in today as a director of the Export-Import Bank of Washington.

Meriwether was confirmed by the Senate by a vote of 67 to 18 on March 8, after two days of heated debate.

His swearing in completes the five-member board under the Kennedy administration. The Alabamian began service on his $20,000-a-year position immediately.

HE RESIGNED yesterday as state finance director of Alabama.

Present at the brief ceremony were Sam Engelhardt, state highway director and chairman of the State Democratic Executive Committee, and Ralph Smith, former Public Service Commissioner, now Montgomery attorney.

Meriwether's family will join him here after completion of the school year in Montgomery.

Meriwether Case A Lesson

Strong Segregationists' Chances Dim For Future Appointments By Kennedy

BY JAMES FREE
News Washington Writer

WASHINGTON

THE SENATE TO-DO over the Charles M. Meriwether appointment is over, but its political effects may not be clear for some time to come.



Meriwether . . . The Hard Way

We are not talking about whether the Alabama finance director will embarrass President Kennedy by incompetence or racial bias in his new job as a director of the Export-Import Bank—as Sen. Wayne Morse (D., Ore.) warned. Our guess is that Mr. Meriwether will apply himself and perform well.

What we have in mind are practical political results in future relations between President Kennedy and Southern party leaders like Gov. John Patterson of Alabama.

Certainly the President has not weakened his position with those who will be serving as governors or local leaders of Deep South states in 1964. He has stood by a nominee who took the Southern white position on civil rights, though it wasn't easy for the chief executive to do. It probably means that Kennedy will try to hold strong basic support in state capitols below the Mason and Dixon Line for his renomination and reelection for a second term.

Political Debt Paid In Full To Gov. Patterson

IT SEEMS PLAIN THAT, at one stroke, President Kennedy has repaid in full his debt to Gov. Patterson for early and continued support of Kennedy for president in 1960. And, after the kind of going over Meriwether got for pro-segregation activities in Alabama political campaigns, it is doubtful that Gov. Patterson would ever want to expose himself in a similar manner—or that Mr. Kennedy would wish it either.

All in all, it seems safe to bury those occasional rumors that Patterson may seek a federal judgeship when his term is over.

Lesson For President And Dixie Job Seekers

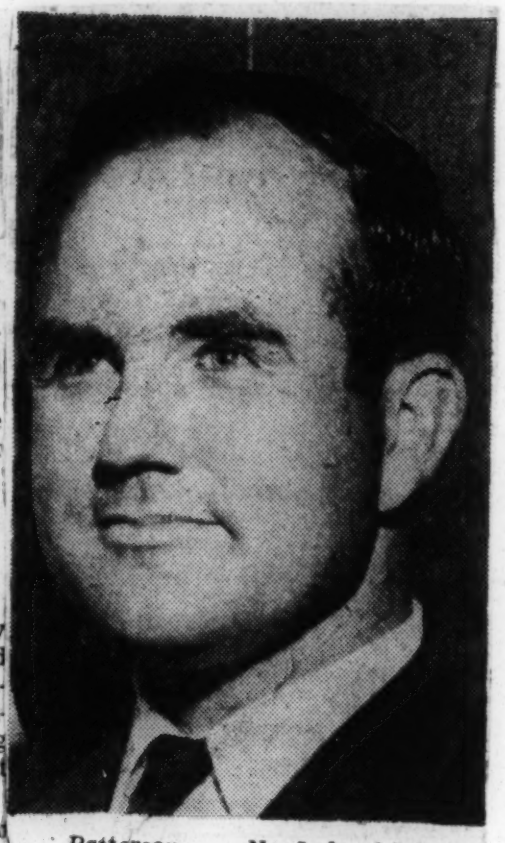
THE TYPE OF OPPOSITION aroused by the fact that Meriwether could be labelled a "segregationist" should be of great interest at the White House and to Southerners who may be interested in getting Kennedy administration appointments that need Senate approval.

It does not mean that a qualified man from the Deep South is necessarily barred from appointment.

It surely does mean that if he has been identified publicly and personally with a strong pro-segregation political campaign, his chances are very dim.

Once Kennedy's debts to prominent Southerners for their help in 1960 are paid and the repayment or attempted repayment program is well along—then the political emphasis on Dixie appointments will be on what the applicant can swing for JFK & Co., at the ballot box in future elections.

In sum, President Kennedy may talk a good game of strong pro-civil rights, but he isn't about to throw away his substantial Southern support (as shown in the 1960 returns) unless and until he is assured of getting something better elsewhere.



Patterson . . . No Judgeship?

34c(1) 1961 D.C.

Third Negro may get Kennedy post

BY ROBERT S. ALLEN AND PAUL SCOTT

Frank Reeves, Democratic national commiteeman of the District of Columbia, is slated to be special White House assistant for minorities—the job formerly held by Maxwell Rabb under President Eisenhower.

A lawyer, Reeves will be the third Negro named to an important office by President-Elect Kennedy, and the second on his White House staff. The other is Andrew Thatcher, assistant press secretary.

Charles Murphy, White House counsel under President Truman, is vigorously seeking the job of undersecretary of agriculture. Originally from South Carolina, Murphy claims the South is entitled to second place in this department.

Mike Monroney Jr., son of Oklahoma's senator, will be assistant to Deputy Postmaster General William Brawley. Young Monroney will be liaison representative on Capitol Hill.

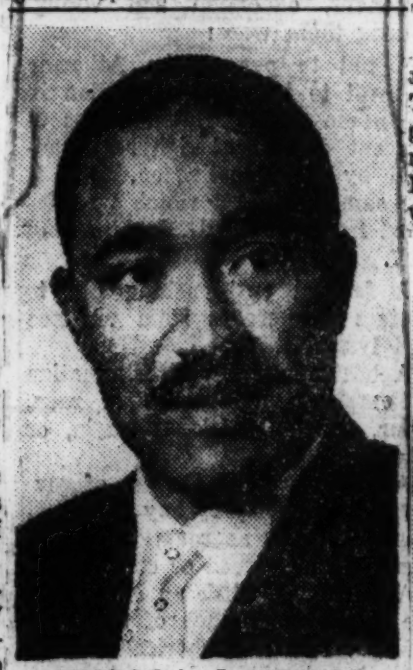
SENATOR J. WILLIAM Fulbright (D., Ark.), chairman of the Foreign Relations Committee, is giving up one of his important committee seats. He is relinquishing his ranking place on the Senate Banking Committee to become a junior member of the Finance Committee.

To surprised colleagues, the Arkansan is explaining he is doing this "in the interests of my home state."

Former Rep. Frank Coffin (D., Me.) is under consideration by President-Elect Kennedy for assistant secretary of state for Latin America. Coffin was a member of the Latin American Subcommittee of the House Foreign Affairs Committee.

George L. P. Weaver To Labor Post

WASHINGTON (ANP) — George Leon-Paul Weaver, 48, Washington, last week was designated special assistant to the sec-



GEORGE L. P. WEAVER

retary in the Labor Department by President-elect Kennedy.

Weaver, who is now assistant to the president of the AFL-CIO International Electrical Workers union, was one of six appointments by Kennedy to top jobs in the Labor department.

To Replace George Lodge

The announcement of Weaver's appointment said "it is anticipated" that Weaver will become assistant secretary for international affairs upon the resignation of George Lodge in midsummer. Lodge is the son of Henry Cabot Lodge, defeated Republican vice presidential candidate.

When young Lodge took over the post, it was reported at that time that J. Ernest Wilkins, a Negro appointed by Eisenhower was removed to make way for him. The GOP, however, denied the charge. Wilkins died shortly afterwards.

Weaver has the international background necessary for the future post as assistant secretary for international affairs.

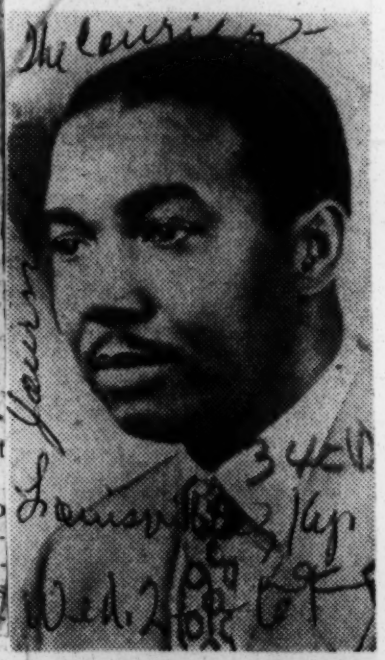
In his present position he is assistant to James Carey, president of the International Union of Electrical, Radio and Machine Workers, AFL-CIO.

In 1951, he joined the administrative staff assembled by Sen. Stuart Symington to reorganize the Reconstruction Finance corporation.

Represented U. S. In Malaya

He represented the RFC on a tin mission to Malaya, Indonesia and Thailand and was one of the U.S. government representatives who negotiated tin agreements with Britain, Indonesia, Thailand, Bolivia and Belgium.

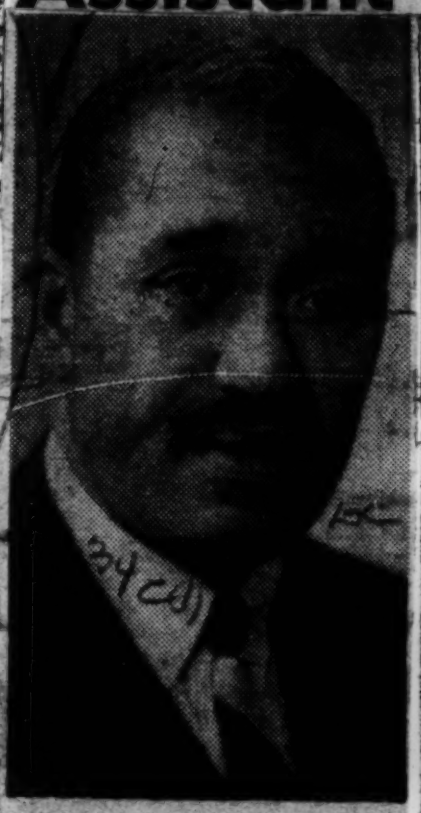
Appointed



Associated Press Wirephoto

Frank D. Reeves, Washington attorney, has been named by President Kennedy as a presidential aide.

George L. P. Weaver Named Assistant to Labor Secretary



GEORGE L. P. WEAVER
. . . Kennedy choice!

WASHINGTON—George Leon-Paul Weaver has been named special assistant to the Secretary of Labor, the second Negro to take a place on the Kennedy team.

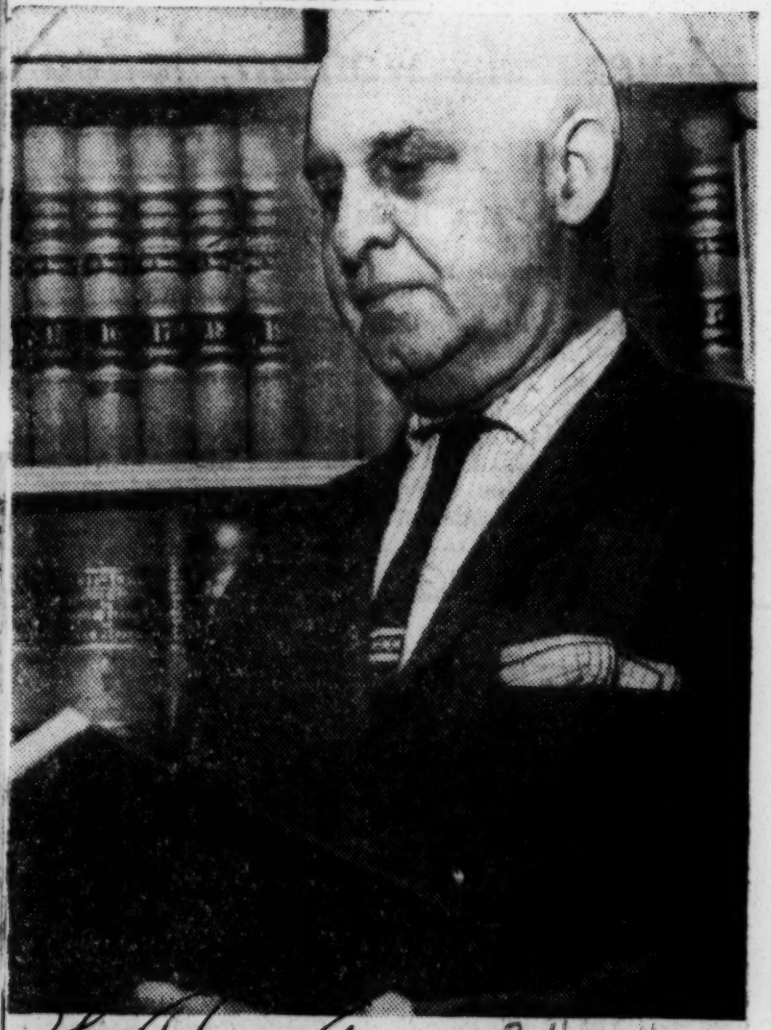
George L. P. is currently assistant to President James B. Carey of the Electrical Radio and Machine Workers Union, AFL-CIO.

A veteran in the labor movement since 1942, he takes the post of assistant Secretary of Labor under Arthur Goldberg.

Several weeks ago, The Courier listed Weaver's name as one certain to be given recognition by the incoming administration. At that time, the Assistant Secretary of Labor position, along with a possible porfolio in the State Dept . . . Assistant Secretary of State for Internal Affairs . . . was hinted at.

Weaver has been a career labor and government man. He served as director of the CIO Civil Rights Committee from its inception in 1943 until the merger in 1955 with the AFL; worked with Senator Symington as a special assistant of the National Security Resources Board; has represented the government as a member of the Reconstruction Finance Corporation in Bolivia, Malaya, Indonesia and Thailand.

He represented the International Confederation of Free Trade Unions in Singapore and Malaya, the Philippines, India and Pakistan. He is widely travelled and has a fine knowledge of labor conditions throughout the world.



1960 APPOINTEE — An outstanding appointee during the past year was George G. Jefferson, attorney, who was named to the District Parole Board. He has practiced law in the District for about 30 years and maintains offices at 611 F St., NW.

White House Aide Disappointed With 'Offers'

'It's Not a Matter of Money'-Morrow

WASHINGTON—"A jungle of racial barriers" has made it impossible for E. Frederick Morrow to get an executive position in private industry, he charged.

Mr. Morrow, first Negro to hold the position of Administrative Assistant to the President, said the only offers of private employment after Jan. 20 were of a nature that "would confine me to working with the Negro community."

One offer, Morrow said, was from a Wall Street brockerage firm, and would double his present White House salary of $18,000 a year.

MORROW, WHO HAS been on President Eisenhower's staff for the past five years, said, "so, it's not just a matter of money.

"It still shocks a great many captains of industry when a Negro seeks a job on the executive level even though he dealt with them directly as a part of his official White House assignment."

The 51-year-old lawyer is a graduate of Rutgers Law School. A major in World War II, his search for private employment took him to 20 business and industrial concerns in the Middle West and East during the last year.

"But the story was always the same," he said. "They all admit you have brains and ability and if it were not for your color, there would not be any barriers to hurdle in the business world."

■

HE SAID he would try to hold out as long as possible against taking employment that would limit him to dealing with other Negroes.

"When you spend a lifetime crashing the jungle of racial barriers and you achieve this kind of job, it's very dismaying to have to go back to the jungle.

"Having made this break of being a complete American and doing a job that any American can do. I don't want to be in a position of restricted activity among a restricted segment of the American people," he continued.



E. FREDERICK MORROW

. . . the captains of industry were shocked

Morrow Named To $11,000 Job In Veterans Bureau

WASHINGTON. — (ANP) — E. Frederic Morrow, first Negro presidential aide in the White House, was named to an $11,000-a-year Veterans Administration post in Washington a few days before President Eisenhower went out of office, it was disclosed last week.

Morrow was named a special assistant to the manager of the city's Veterans Benefit office.

During his stay at the White House, Morrow earned $18,500 a year and was in charge of a special projects group.

Frank Reeves To White House Post

WASHINGTON, D.C. — Frank D. Reeves, a local lawyer and Democratic National committeeman from the District of Columbia, was named Monday, Jan. 30, by President Kennedy as a special assistant to the President.

It had been expected that Reeves would be appointed a commissioner for the District of Columbia.

During the election campaign, Reeves, traveled with Kennedy and served as an adviser on racial matters. Reeves seconded the nomination of Kennedy at the Democratic national convention.

Name Negro Publisher to U. S. Press Post

[Chicago Tribune Press Service]

Washington, Feb. 14—Franklin H. Whittaker, 34, publisher of the Pittsburgh Courier, was named assistant to the director of public information today in the commerce department headed by Luther Hodges, former governor of North Carolina. He is the second Negro appointed to a high press position in the Kennedy administration. Andrew Hatcher is associate White House press secretary.

34c(1) 1961 D.C.

Hobart Taylor And Other Federal Job Opportunities Committee Members Already At Work On Task

The Call
Kansas City, Mo.
May 5, 1961 - Col 1

By ALICE A. DUNNIGAN

WASHINGTON. — (ANP) — Hobart Taylor, chief of the civil division of Wayne county attorney's office in Michigan, was the first full-time staff member appointed to President Kennedy's newly-formed Committee on Equal Employment Opportunity, which has already begun to insure equal job opportunities in and out of the government.

Washington sources said the committee is scrutinizing and studying employment practices of the government and will consider and recommend affirmative steps which should be taken by executive departments and agencies to realize more fully the national policy of non-discrimination within the executive branch of the government.

Taylor, a long time supporter of Lyndon Johnson, will serve as special counsel for the committee, of which the Vice President will serve as chairman.

Created by Executive Order

The Equal Employment Opportunity committee was created by Executive Committee issued by President Kennedy on March 6. The new committee combines the functions of the old President's Committee on Government Employment Policy into a single committee.

The committee aims to take immediate steps to end discrimination because of race, creed, color, or national origin in the executive branch of the government and in industries holding government contracts.

This is necessary, the order stated, because discrimination "is contrary to the Constitutional principles and policies of the United States."

The reports and recommendations will be submitted to the executive vice chairman of the committee not later than 60 days from the date of the order. After the committee studies and considers these reports and recommendations it will report to the President the current situation, and recommend positive measures to accomplish the objectives of the order.

Abolishes Older Committees

The Kennedy order completely abolishes the two committees set up by former President Eisenhower in executive orders, and transfers the powers, functions, and duties to the new committee.

President Kennedy's first executive order on civil rights was released last week by Pierre Salinger, White House press secretary. It named Vice President Johnson as chairman and Secretary of Labor Goldberg as vice chairman.

Other members include chairman of the Atomic Energy Commission, the Secretary of Commerce, the Attorney General, the Secretary of Defense, the Secretaries of the Army, Navy and Air Force, the Administrator of General Services, the chairman of the Civil Service Commission, and the administrator of the National Aeronautics and Space Administration.

The order not only applies to equal opportunities in hiring but also to upgrading, demotion or transfer, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Must Spell Out Policy

The contractors must specifically state in all advertisements or solicitations for employes that "all qualified applicants will receive consideration for employment without regard to race, creed, color or national origin."

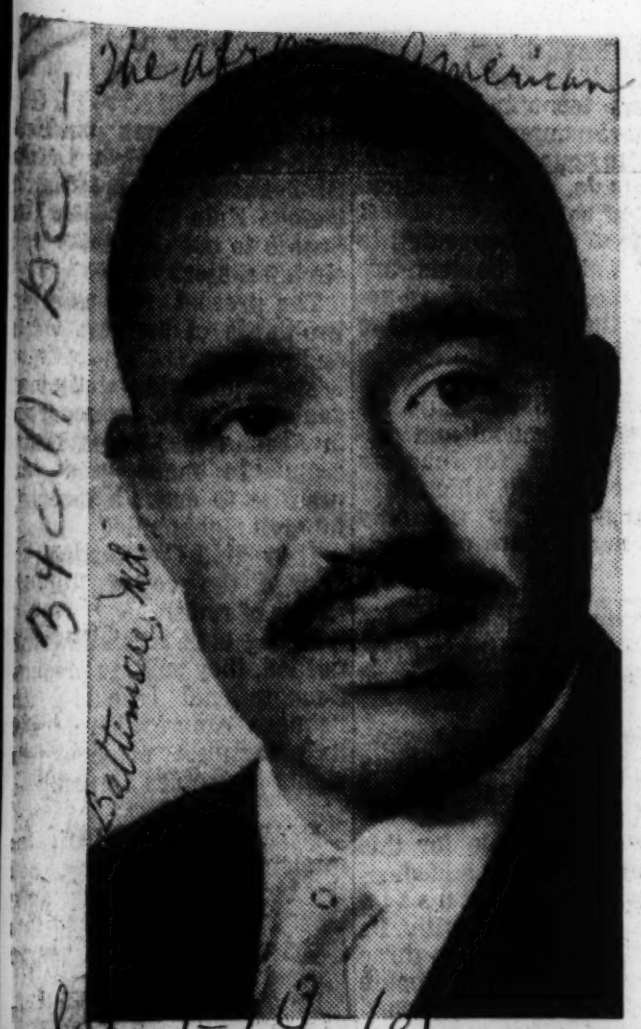
This committee will also make an attempt to end discriminatory practices in labor unions by requesting that contractors make every possible effort to have unions to sign a written anti-discrimination agreement. The government cannot take direct action to abolish discrimination in labor unions since it has no contracts with them.

Under the new order the committee has the authority to request the Attorney General to seek court injunctions against individuals or organizations to enforce compliance.

34c(1) 1961

D.C.
ASSISTANT SECRETARY OF LABOR

MR. GEORGE L.P. WEAVER



GEORGE L. P. WEAVER was named Sunday as Assistant Secretary of Labor in Charge of International Affairs. He is slated to assume the post in June.

George Weaver Gets Labor Post

Chicago Defender P.1

WASHINGTON — George Leon-Paul Weaver of Washington, D. C., Saturday was one of six President-elect Kennedy appointments to top jobs in the Labor department.

Chicago, Ill.

Weaver, 48, was designated Special Assistant to the Secretary. The announcement said "it is anticipated" that Weaver, a Negro, will become Assistant Secretary for International Affairs upon the resignation of George Lodge in midsummer.

1-20-61

TO REPLACE LODGE

Lodge is the son of Henry Cabot Lodge, defeated Republican vice-presidential candidate.

Weaver has the international background necessary for the future post as assistant secretary for international affairs.

He is now assistant to James Carey, president of the International Union of Electrical, Radio and Machine Workers, A F L-CIO. In 1951, he joined the administrative staff assembled by Sen. Stuart Symington to reorganize the Reconstruction Finance corporation.

RICH BACKGROUND

That October, he represented the RFC on a tin mission to Malaya, Indonesia and Thailand and was one of the U. S. government representatives who negotiated tin agreements with Britain, Indonesia, Thailand, Bolivia and Belgium.

Also named to top Labor department posts were:

William Willard Wirtz of Chicago, a law partner of Adlai Stevenson, to be Undersecretary of Labor.

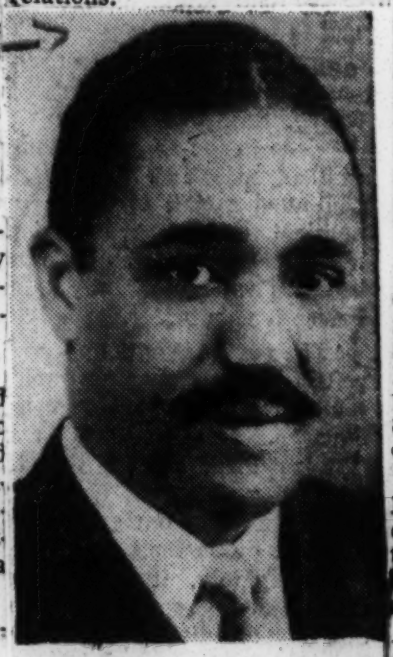
James J. Reynolds, a New York state businessman, to be Assistant Secretary.

Jerry R. Holleman of Austin, Tex., 41-year-old president of the Texas state AFL-CIO, to be Assistant Secretary of Labor.

Mrs. Esther Peterson of Washington, D. C., legislative representative of the AFL-CIO industrial union department, to be assistant to the secretary and director of the Women's bureau.

Charles Donahue, 48, a Washington, D. C., lawyer and native of Portland, Me., to be solicitor in the Labor department.

All six persons, recommended by Labor secretary - designate Arthur J. Goldberg, have experience either in the union movement or government labor relations.



GEORGE L. P. WEAVER

Top Labor Spot Given G. Weaver

Bham World

Bham, Ala

Wed. 1-11-61

WASHINGTON, D. C.—(SNS)—President - elect John F. Kennedy Saturday named Negro labor expert George Leon-Paul Weaver to be special assistant to the labor secretary-designate, Arthur J. Goldberg.

P.1

Weaver's anticipated post in the will presumably become assistant secretary of international affairs upon the resignation of George Lodge, son of Henry Cabot Lodge, defeated Republican vice presidential candidate.

Weaver's anticipated opst in the top labor department echelon will be the same as the post once held by the late J. Ernest Wilkins, Sr., before he was replaced in the department by young Lodge.

Weaver has the international background necessary for the future post of assistant secretary of international affairs.

He now is assistant to James Carey, the president of the International Union of Electrical, Radio and Machine Workers, AFL-CIO. In 1951 he joined the adminitrative staff assembled by Sen. Stuart Symington to reorganize the Reconstruction Finance Corp.

Weaver's appointment to the top labor spot confirms earlier rumors circulated throughout the national Democatic party camp that he would get a post in the Kennedy administration.

The announcement of Weaver's appointment Saturday came at the same time the President-elect named five other persons to top jobs in the labor department.

U.S. HOUSING AND HOME FINANCE AGENCY D.C.
DR. ROBERT C. WEAVER

OPPOSE CONFIRMATION
OF NOMINATION

34c(1) 1961

Kennedy error—

Negro appointment may kill housing

The Birmingham News
Birmingham, Ala.
Date 1-3-61
Page 1

BY JAMES FREE, News Washington correspondent

WASHINGTON, Jan. 3—Public housing in the South—and perhaps in the whole nation—may be killed as a result of President-elect Kennedy's appointment of a Negro to run federal housing programs.

This dire prediction by well-informed Southern members of Congress is not a reflection on the qualifications of Robert C. Weaver, the Kennedy choice to head the Housing and Home Finance Administration.

It is rather based on a recognition of the narrow margin by which public housing parts of general housing bills have been clearing Congress in recent years and on a fear that Weaver's appointment may wipe out that thin margin.

DIXIE LEGISLATORS are reluctant to comment on the appointment. They know that anything but outright approval will bring charges from other parts of the country that the real basis for any Southern opposition is racial bias against Weaver.

But the two Alabamians who are the top housing experts in the House and Senate have talked frankly with The Birmingham News about some of the problems that Kennedy's selection of Weaver threatens to create.

Most outspoken is Chairman Albert Rains of the House housing subcommittee.

"I think this appointment was a mistake," said Rains. "Whether intended this way or not it will inject the racial issue into much of our new housing legislation—an issue that we have been careful, to avoid whenever possible. It is common knowledge that many conservatives are happy to find excuses for voting against public housing."

CHAIRMAN John J. Sparkman of the Senate housing subcommittee is in a more delicate position for the full parent committee—the Senate banking and currency committee, of which he is a member, must make a recommendation to the Senate on whether Weaver should be confirmed.

"All that I can say now," said Sparkman, "is that I do not know the nominee, and that I was not consulted nor advised about this appointment. In fact, I advocated the appointment of Joe McMurray, former housing administrator for New York City and later New York state.

"Mr. McMurray for some years was a key staff man on the Senate housing subcommittee, and he knows all phases of our housing programs — local, state and federal—as few men do."

RAINS SAID that much will depend on the kind of legislation on housing that Kennedy sends to Congress and the nature of any new executive orders on racial aspects of present housing programs. The Alabama representative put it this way:

"If it turns out that this appointment is part of an over-all aim of bringing about racial integration in federal housing projects and programs, then it must be said plainly that the result will be to kill new housing legislation."

The background for Rains' warning is this. In the House, Southern Democratic votes are a must on most Democratic housing bills, for Republicans usually vote "nay" in overwhelming number. These Dixie Democratic votes cannot be delivered, historically, without assurances that the federal programs will not be used as a tool to speed integration or force it.

OFTEN THIS assurance has been in the form of rejection by the House of anti-segregation amendments.

Comparable problems have come up in the Senate. But the custom there, under leadership of Sparkman and Majority Leader Lyndon Johnson, has been to bury the anti-segregation amendment quietly in committee or through agreement worked out behind the scenes.

Even with this procedure, the margin of victory for many public housing amendments in the Senate has been close.

For several years Sparkman and Rains have cooperated in maneuvering public housing amendments through strong opposition, especially in the House. The House, led by its potent rules committee, customarily has rejected public housing amendments put in by Rains' subcommittee or greatly reduced the size of the program.

Key Senator Fights Weaver Nomination

The Wilmington News
New York
Date 1-6-61
Page 1

By United Press International.

WASHINGTON, Jan. 5—The chairman of the Senate Banking Committee, which must act on the nomination of Dr. Robert C. Weaver as Housing and Home Finance Administrator, said today he would oppose confirmation.

Senator A. Willis Robertson, Democrat of Virginia, said that his opposition to to the New York Negro was not based on race. He complained that President-elect John F. Kennedy had not notified him of the selection in advance.

A similar complaint was leveled by Senator John J. Sparkman, Democrat of Alabama, chairman of the Housing subcommittee. Mr. Sparkman said he did not want to comment on the choice until the full committee helr hearings. But it was nearned that Mr. Sparkman opposed Dr. Weaver because he felt the New Yorker had a haid in keeping Senator J. W. Fulright of Arkansas from being appointed Secretary of State.

Some Kennery advisers feared Mr. Fulright's Southern background would heurt the United States in Africa and Asia.

Senator Robertson and Senator Sparkman said their coice for the housing job was Joseph P. McMurray, former New York State Housing Commissioner and former executive director of the New York Housing Authority. Dr. Weaver, vice chairman of New York City's Housing and Redevelopment Board, would direct the multi-million dollar Federal housing programs.

New York

Senator Robertson said he was "surprised and disappointed" at the selection, and he said that Mr. Kennedy did "not pick the right man."

Mr. Sparkman said he did not know Dr. Weaver or anything about him and wanted to listen to the testimony before taking a stand.

Mr. Robertson said he would contact Mr. Kennedy or his personnel adviser in an attempt to keep the President-elect from sending Mr. Weaver's name to the Senate. If that fails, Mr. Robertson indicated, he will oppose the nomination in committee.

He said similar opposition to Mr. Weaver had been received from all over the country. Complaints are not limited to the South, he said, adding that some came from New York.

It was learned that some members of the building industry were not happy with the choice and would use their influence to block Mr. Weaver. Industry opposition was said to stem from Mr. Weaver's emphasis on enforcing integration in Federally financed housing projects.

The job would be the highest Federal administrative position ever held by a Negro. The position could reach Cabinet rank under Mr. Kennedy's plans for a Department of Urban Affairs.

Bowles to Be Queried

WASHINGTON, Jan. 5 (AP)—Senator Everett McKinley Dirksen said today that Republican Senators would "thoroughly explore" the views of Chester Bowles on China policy when his nomination to be Under Secretary of State reaches the Senate.

The Republican floor leader said in an interview that "there could be some votes against Mr. Bowles's confirmation."

Senator Norris Cotton, Republican of New Hampshire, said of Mr. Bowles:

"I couldn't bring myself to vote for his confirmation. I may well actively oppose him in the Senate."

Mr. Cotton's colleague from New Hampshire, Senator Styles Bridges, the chairman of the Senate Republican Policy Committee, said that some of Mr. Bowles's past statements might "involve the United States in recognition of Red China and in admitting it to the United Nations."

Senator George D. Aiken, Republican of Vermont, said he did not foresee "any serious effort to block the Bowles appointment" but expected some of the appointee's "old statements to be brought up and reviewed."

Senator John Sherman Cooper, Republican of Kentucky, who succeeded Mr. Bowles as Ambassador to India, said Mr. Bowles "is a man of ability."

Only three committee members

The Afro-American
Baltimore Md,
Date 1-14-61

By LOUIS LAUTIER

WASHINGTON (NNPA)—Statements of Sens. A. Willis Robertson of Virginia and John J. Sparkman of Alabama that they will oppose confirmation of Robert C. Weaver as administrator of the U. S. Housing and Home Finance Agency caused little excitement here.

For one thing, Dr. Weaver is perfectly capable of taking care of himself in any encounter with Robertson, Sparkman, and Sen. J. William Fulbright of Arkansas, who are the three ranking Democrats of the Senate Banking and Currency Committee which is to pass on Dr. Weaver's nomination.

They also are the only Southern members of the committee.

At his worst, all that Robertson, who is committee chairman, can do is delay hearings on the nomination, while Sparkman, as chairman of the subcommittee on housing, may try to prolong them.

* * *

WHEN A VOTE is taken the committee on which sit such well known Democratic and Republican liberals as Sens. Paul Douglass, Illinois; Joseph S. Clark, Pennsylvania; Harrison A. Williams, New Jersey; Edmund Muskie, Maine; Jacob Javitts, New York and J. Glenn Beall, Maryland, will overwhelmingly approve the nomination.

Senator Javitts took the Senate floor Friday to support Dr. Weaver's selection as "an extremely high caliber appointment." He pointed out that Weaver has a record of long experience and great accomplishment in the field of housing.

Sen. Javitts noted the fact that the 1960 platforms of both the Democratic and Republican parties specifically pledged in their civil rights planks that action would be taken to end discrimination in the federal housing program.

* * *

HE POINTED out that Dr. Weaver has long been associated with the NAACP, was chairman of its board of directors and had special knowledge of housing discrimination problems, adding, "Certainly membership in the NAACP should not be a disqualification for any job."

Javitts said he was disturbed at reports that Dr. Weaver's nomination might run into delay. He indicated that he thought hearings should be held on the nomination as expeditiously as possible.

Senator Douglas also praised the nomination.

"I think the Bob Weaver appointment is a magnificient one" he said. "Mr. Weaver is highly qualified by experience, character and ability. I shall vote for his confirmation with pleasure."

* * *

IN ANNOUNCING his opposition to Dr. Weaver, Sen.



DR. AND MRS. ROBERT WEAVER
Dixiecrat opponents are greatly outnumbered

Robertson quickly added that he did not oppose him because of his race, but complained that President-elect Kennedy had not consulted him in advance before making the selection.

Sen. Sparkman based his opposition on his belief that Dr. Weaver and the NAACP had "something to do" with keeping Sen. J. W. Fulbright of Arkansas from being appointed Secretary of State.

The two Southerners indicated that they would have preferred Joseph P. McMurray, former New York State Housing Commissioner and former executive director of the New York Housing authority, for the job.

Robertson said he would try to persuade President-elect Kennedy to not send Dr. Weaver's name to the Senate, and if that fails, he personally would oppose confirmation in committee.

Marshall and 7 Others Nominated As Judges

The Washington Post P1
June 9-24-61

By a Staff Reporter

HYANNIS PORT, Mass., Sept. 23 — President Kennedy today nominated Thurgood Marshall, Negro attorney to be a United States circuit judge for the Second Circuit. Tihs is a new judicial post and pays $25,000 a year. The appointment is for life.

Mr. Kennedy also nominated seven Federal district judges who would receive salaries of $22,500 a year.

White House press secretary Pierre Salinger, in announcing the nominations here on Cape Cod, said that if they are not confirmed by the Senate at this time, the President will give all eight men interim appointments, allowing them to sit until the end of the next session of the Senate.

Still another nomination announced today was that of Paul Geren, a foreign service career officer, to be deputy director of the Peace Corps, a job paying up to $19,500.

Marshall, a 53-year-old native of Baltimore, who has played a major role in the battle for desegregation of the public schools, would be the second Negro to serve in such a lofty judicial post as the circuit court. The first named to that court was Judge William Hastie of Philadelphia, who is sitting in the Third Circuit.

Hastie was nominated by former President Harry S. Truman

Marshall, after going through the public elementary and high schools of Baltimore, attended Lincoln University at Oxford, Pa., and was later graduated from the Howard University Law School in Washington, D. C., in 1933 with honors.

He became special counsel for the National Association for the Advancement of Colored People in 1938, and led the NAACP fight for school desegregation, arguing all the key school cases before the United States Supreme Court.

Like the others nominated for judgeships today, Marshall is a Democrat. He lives with his wife and two children in New York. Last spring President Kennedy named him as head of an American delegation to the celebration of the independence of Sierra Leone.

Those nominated for district judgeships today were:

Clarence W. Allgood, 59, of Birmingham, for the northern district of Alabama.

Frederick A. Daughterty, 47, of Oklahoma City, for the northern, eastern and western districts of Oklahoma.

John Weld Peck, 48, of Glendale for the Southern district of Ohio.

Dudley B. Bonsal, 54, of New York City, for the Southern district of New York.

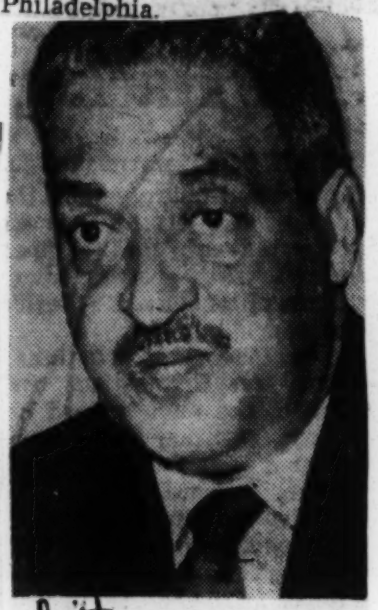
Irving Ben Cooper, 59, of New York City, for the Southern district of New York.

Ben C. Green, 56, of Beachwood, the Northern district of Ohio.

Talbot Smith, 62, of Ann Arbor, for the Eastern district of Michigan.

President Kennedy made the nominations today under a bill passed in this Congress creating new judgeships to handle increased work before the Federal courts. He has now named 10 circuit judges, all that were authorized, and 40 district judges. The legislation authorized 63 new district judgeships in all.

The President today also nominated six men to serve on a board to advise the Post Office Department. They were William C. Doherty of Bethesda, Md., president of the National Association of Letter Carriers; Carl Murphy of Baltimore, Md., president and board chairman of the Afro-American Newspapers; Charles H. Earl, a lawyer of Little Rock, Ark.; Paul Perocchi of Andover, Mass.; James Francis Reilly, Washington, D. C., lawyer, and Robert S. MacNeal, president of the Curtis Publishing Co. of Philadelphia.



THURGOOD MARSHALL
. . . appointed to bench

Associated Press

N. C. Solons Are Urged to Aid Marshall

The News and Observer
P-1 June 9-24-61

CHARLOTTE (AP)—The North Carolina chapter of the National Association for the Advancement of Colored People Saturday asked Sens. Sam M. Ervin and B. Everett Jordan to back the confirmation of Thurgood Marshall as a member of the Second U.S. Circuit Court of Appeals.

Marshall's nomination to the appeals court, second in rank to the U.S. Supreme Court, was sent to the Senate Saturday. Marshall is general counsel for the NAACP.

Raleigh, N. C.

Sends Telegram.

Kelly M. Alexander, chairman of the state NAACP, said he had wired Ervin and Jordan:

"The Negro people fo North Carolina join the North Carolina State Conferences of Branches of the National Association for the Advancement of Colored People in soliciting your support to vote for confirmation of Thurgood Marshall to the Second Circuit Court of Appeals.

"Mr. Marshall is a great American, a man of great faith in his love of learning, in his honesty of dealings, in his purity of purpose, in his devotion to truth, and in his allegiance to virtue. He is an ideal lawyer.

"Mr. Marshall believes that a man's first allegiance is to his creator, and that if a man be true to his God, he cannot be false to his brother. He has excelled in the field of law because of a brilliant legal mind, but also because of his love and reverence in truth and righteousness. He daily practices the supreme law of life and love.

"We highly appreciate your voting for this outstanding lawyer to the Second Circuit Court of Appeals."

Kennedy made public his selection of Marshall, veteran lawyer for the National Association for the Advancement of Colored People, on the first full day of his 13th straight weekend on Cape Cod.

Singer Frank Sinatra was one of the President's guests on a 3½-hour boat trip.

An overcast, as well as a Hollywood air hung over the motor cruiser Marlin. Also aboard with the President and Mrs. Kennedy were nine or ten other guests, including his brother-in-law, actor Peter Lawford.

Sinatra is the "leader" and Lawford a member of a group of Hollywood figures who call themselves the "Clan."

On return, Kennedy concentrated once more on the crucial speech he will deliver Monday morning to the United Nations General Assembly.

Negro Gets U.S. Judge Nomination

The Florida Times-Union
P-2

HYANNIS PORT, Mass., Sept. 23 (AP)—President Kennedy today risked new controversy with Southern Democrats by nominating Thurgood Marshall, Negro integration leader, to a high federal judgeship.

Marshall, who has argued the civil rights case for Negroes in court since 1938, was chosen for the U.S. 2nd Circuit Court of Appeals in New York.

The appointment was not unexpected, but neither was it announced until Congress headed into the closing hours of its 1961 session. The Senate must confirm Marshall's nomination, and it must pass first through the Judiciary Committee headed by Sen. James O. Eastland, D-Miss., who long has been identified with the most adamant Southern foes of racial desegregation.

White House Press Secretary Pierre Salinger, here for the week end with the President, said Kennedy would submit Marshall's name again on an interim basis after Congress adjourns. This step would be necessary for Marshall to serve on the federal appellate bench until the Senate, with hardly time left this session, acts on the nomination next year.

Taps Marshall For Court Post

The News and Observer
June 9-24-61 P1

Raleigh, N. C.

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THURGOOD MARSHALL
. . . Gets Court Post.

ple, on the first full day of his 13th straight weekend on Cape Cod.

Takes Cruise.

Mist hung over Nantucket Sound as Kennedy embarked in the afternoon on a short cruise aboard his 52-foot motor yacht, the Marlin.

On return, Kennedy concentrated once more on the speech he will deliver Monday morning to the United Nations General Assembly.

It was understood the death of U.N. Secretary-General Dag Hammarskjold in a plane crash in Northern Rhodesia last Sunday has prompted Kennedy to place new emphasis on the U.N. structure in drafting his address.

Kennedy may also be more specific about U.S. proposals for maintaining a strong U.N. leadership than he had planned before Hammarskjold was killed. The United States hopes to gain support for an effective U.N. executive from nations avowedly noncommitted in the East-West struggle.

The death of Hammarskjold has given the Soviet Union an opportunity to force its campaign against the U.S. stand for an independent U.N. secretariat.

Speech Topics.

The East-West crisis over Berlin and possible avenues toward controlled disarmament also will figure in Kennedy's speech, now scheduled for Monday at 10:30 a.m. Eastern Standard Time.

Kennedy plans to fly from Hyannis to New York late Sunday afternoon and travel immediately by motorcade from La Guardia Airport to an uptown hotel—the Carlyle.

He will stay there overnight to write the final phrasing into his speech text. He may confer with Secretary of State Dean Rusk and U.N. Ambassador Adlai E. Stevenson.

Kennedy will see others before leaving New York around noon on Tuesday for Newport, R.I., where he will spend the remainder of the week.

He expects to talk with Prince Norodom Sihanouk, the Cambodian leader, on Monday, and President Arturo Frondizi of Argentina on Tuesday morning.

The President received his regular intelligence briefing Saturday morning from Capt. Tazewell Shepard, his naval aide. For his off hours, he had the company of Mrs. Kennedy and their two children, who have been on Cape Cod most of the summer.

Marshall was one of eight judges nominated. The others were to federal district judgeships, bringing to 40 the number of new posts filled among the 63 created by Congress this year. Marshall was the 10th and last named to new circuit court seats.

The 53-year-old Negro from Baltimore first linked himself with the NAACP in 1936. Since 1950 he has been director-counsel of its legal defense and educational fund. He pleaded the Negroes' side in U.S. Supreme Court arguments that resulted in the 1954 public school desegregation decision and all the key high court cases in that field since then.

Marshall is a Democrat. As circuit judge, he will receive $25,000 a year.

Kennedy also nominated Paul Geren, 47, a career foreign service officer from El Dorado, Ark., as deputy director of the Peace Corps.

34c(1) 1961 D.C. ATTY. FRANK D. REEVES

Says crime was being born poor

WASHINGTON — "I have nothing to hide. The only mistake I've made is the mistake of being poor.."

In a nutshell, this is the way Frank D. Reeves commented Saturday following a rapid-fire series of events which resulted in the withdrawal by President Kennedy of Mr. Reeves' name as nominee for the post of District of Columbia Commissioner.

In a 950 - word statement, issued from the White House Executive office building where Mr. Reeves has been serving as Mr. Kennedy's special assistant, the 45-year-old attorney placed the blame for his request to the President to withdraw his name on pressure from the White House staff.

He pointed out, "I was persuaded by members of the White House staff to submit the request that President Kennedy withdraw my nomination, because in their considered judgement failure to withdraw my nomination would be embarrassing to the President under the circumstances."

* * *

THE "CIRCUMSTANCES" were disclosure that Mr. Reeves' had had eight federal and District tax liens against him within the past ten years, although all are now paid. News of the liens and questions about a reported loan Mr. Reeves made in connection with the purchase of a new home were made at the Senate committee hearing on his nomination.

The day after the hearing Mr. Reeves, in a surprise move, asked President Kennedy to withdraw his name. Following the President's withdrawal, it was reported that Mr. Reeves was now "out of government" inasmuch as he had "resigned" his post at the White House earlier.

The latter fact created confusion as Mr. Reeves indicated he had not "resigned" the White House job and said frankly in Saturday's statement "my future plans" depend upon "a talk with President Kennedy."

The full text of the lengthy statement by Mr. Reeves is as follows:

"Developments since Tuesday in connection with my nomination by the President to be a member of the board of commissioners of the District of Columbia require that I comment as follows:

"Newspaper reports and editorial comment before and since the Tuesday hearing on my nomination by the Senate District Committee and testimony at the hearing have cast doubt on my qualifications for the job of commissioner.

"Although I regret that my personal and family financial affairs should become a matter of public issue, I have always been willing to make a full and complete disclosure because I have nothing to hide.

"Moreover, I am anxious that my many friends and supporters know that my request that the President withdraw my nomination was not motivated by any desire to avoid full disclosure or consideration of any matter in my personal affairs which the Senate District Committee or the Senate itself believed pertinent to a decision upon my qualifications.

"I WAS WILLING, as I said, to leave the matter up to the Committee and the Senate. I did not and do not now believe that the matters disclosed disqualified me to be a D.C. Commissioner.

"However, I was persuaded by members of the White House staff to submit the request that President Kennedy withdraw my nomination, because, in their considered judgment, failure to withdraw my nomination would be embarrassing to the President under the circumstances.

"The President did not make this request of me and I have not discussed with him personally either my nomination or its withdrawal.

* * *

"I KNOW the attacks upon me have been politically inspired. It is significant that the only witness who testified against me was the District of Columbia Republican chairman. The effort to embarrass me and the administration is the handiwork of long-time political foes who hope they can forestall fair Negro representation in the government of the District of Columbia.

"This is consistent with the fact that during the last eight years of Republican administration there was no colored person appointed as D.C. Commissioner, there was no colored president of the school board, there was no colored head of the local housing agency, there was no colored chief of a division in the U.S. Attorney's office. Further, there has never been a colored person elected or appointed to the Republican National Committee from the District of Columbia.

* * *

"I AM satisfied that this administration will not permit these attacks upon me to dissuade them from appointing qualified colored persons to the D.C. Board of Commissioners and other responsible positions in the local government.

"In short, this issue in which I have been involved is far more political than moral. If I made any mistake, it is the mistake of being poor. For this I do not apologize.

"I have always given fully of my time and energy to civic, racial and political causes for which I received no pay and for which I expected none.

"Being chairman of the legal redress committee of the local NAACP, spending days, months, and years working on school desegregation and other civil rights cases, often traveling at my own expense; taking time off from my law practice campaigning for Democratic candidates here and throughout the country represent the poorest ways in the world to get rich.

* * *

"WE COLORED lawyers don't have the fat retainers from large corporations and other wealthy clients which are available to white lawyers. Even those who devote all of their time to profitable activities must depend mainly on $25 and $50 cases.

"I admit it has been difficult and at times impossible for me to meet my financial obligations with the promptness and regularity that I would wish. Nevertheless, there is no debt that I did not acknowledge and ultimately pay.

"At least this experience of being poor makes me acutely aware of and sensitive to the conditions of poverty which underlie so many of our community problems. Yet disclosures stemming from my frequent lack of funds were used to disqualify me for the post of Commissioner. The reasoning is hard to follow.

* * *

AS TO MY future plans I am waiting to talk with President Kennedy. I may take some time off for a much - needed and long overdue rest.

"Although I have been approached concerning my interest in other positions — outside of government, my immediate plan is to return to my law firm.

"Whatever else I do, I expect to continue as Democratic National Committeeman for the District and with the help of the wonderful people in this city which I love, continue to press for home rule and to do my part to assure a Democratic victory in 1964.

* * *

"MEANWHILE, MANY telephone calls, telegrams, letters, and visits from well wishers cheer me. I want to thank all of them. One telegram read, 'we recognize the price you are paying for all of us. Your leadership is respected and appreciated.' Another said, 'Frank, you have let no one down. We let you down for letting you fight our battle without financial support. Forgive us.'

"Among the letters is one from the chairman of the program committee of the District of Columbia Junior Chamber of Commerce, which reads: 'Pursuant to my letter of June 27, this is just a note to assure you that the District of Columbia Junior Chamber of Commerce is just as anxious to have you address a luncheon meeting on any subject of your choice as we were prior to your withdrawal of your name from the commissioner's appointment. Your record is respected and admired both locally and nationally and our chapter would be honored if you can work us into your schedule.'

"What can you say to such wonderful friends except 'Thanks'?

"Mrs. Reeves and I believe 'some good comes of every experience.'"

Frank Reeves and the day he withdrew

By LOUIS LAUTIER

WASHINGTON — (NNPA) — In a surprising move, Frank D. Reeves asked President Kennedy, Wednesday, to withdraw his nomination to be a member of the three - member Board of District Commissioners.

The President replied in a "Dear Frank" letter that he would comply with the request.

Pierre Salinger, White House press secretary, told newsmen late Wednesday afternoon that the President will send a withdrawal to the Senate immediately and will make another nomination for District of Columbia Commissioner "expeditiously."

* * *

MR. REEVES retains the non-paying position of Democratic National Committeeman, but is no longer a part of the Kennedy Administration. He resigned his White House post when he was nominated as commissioner.

He gave as his reason for requesting withdrawal of his nomination a belief that the Senate District of Columbia Committee felt that he should not serve as District Commissioner and Democratic National Committeeman at the same time.

Two members of the committee, Senator J. Glenn Beall of Maryland and Jack Miller of Iowa, both Republicans, at the hearing on the nomination Tuesday, urged Mr. Reeves to resign from the Democratic National Committee, but there was no insistence that he do so.

After the hearing, Senator Beall said he would vote to approve Mr. Reeves because he regarded him as an able man, although the committee had requested both Federal and District of Columbia income tax records of Mr. Reeves for the past 10 years.

* * *

THE DECISION to request the President to withdraw nomination was made by Mr. Reeves after he had attended a suddenly scheduled closed conference with Senate District Committee staff members.

At the hearing Tuesday, Mr. Reeves said if it became necessary for him to make a choice between the positions of District Commissioner and Democratic National Committeeman, he would talk with the President before making a decision.

But Mr. Salinger said Wednesday Mr. Reeves had not discussed the matter

with the President before submitting his written request for withdrawal of the nomination.

Mr. Reeves returned to the White House after his conference with Senate District of Columbia committee staff members.

* * *

MR. SALINGER said President Kennedy did not know about Mr. Reeves' tax delinquencies before sending his nomination to the Senate.

Asked whether Mr. Reeves' tax troubles were a factor in his request, Mr. Salinger said he would let Reeves' letter to the President speak for itself.

In his letter to the President, Mr. Reeves said he concurred in the recommendation of John B. Duncan, District of Columbia Recorder of Deeds, "as a possibility" for District Commissioner.

Asked whether the President would name Mr. Duncan to succeed Robert E. McLaughlin, whose term as Commissioner expired Friday, Mr. Salinger was noncommittal. "The President is going to seek a qualified replacement to nominate in place of Mr. Reeves," Mr. Salinger said.

The President's reply acceding to Mr. Reeves' request was rather curt.

* * *

THE TEXT of Mr. Reeves' letter to the President, dated June 28, follows:

"Events of the last few days have convinced me that there is no other course of action for me but to ask you to withdraw my nomination as a Commissioner of the District of Columbia.

"In May of last year I was elected Democratic National Committeeman for the District of Columbia. While the Senate Committee on the District of Columbia could not compel me to vacate this position in order to serve as Commissioner, it is clear to me that the committee felt there was a conflict between the two positions. It is my desire to continue serving as the Democratic National Committeeman and in this way to continue to serve my party and my country.

"The Democratic Committee of the District of Columbia had recommended John Duncan as a possibility for the post of District Commissioner. I would certainly concur in that recommendation.

"It has always been my sincere desire to serve you and the Nation in any way I could be effective. I will appreciate your taking action on this request as soon as possible.

"Sincerely yours,
"FRANK D. REEVES."

* * *

PRESIDENT KENNEDY replied as follows:

"Dear Frank:

"Thank you for your letter of June 28. In accordance with your wishes I will withdraw your nomination.

"I appreciate your service to me and to the Administration over the past year.

"Sincerely
"JOHN F. KENNEDY."

* * *

WHEN REEVES came out of the meeting with District of Columbia Committee staff members, he declined to answer questions concerning the conference.

Roy Wilkins denies he helped pull rug from under Reeves

WASHINGTON — Roy Wilkins stated Friday that neither he nor the NAACP had anything to do with the Frank Reeves case. A local newspaper had said that Reeves' withdrawal from nomination as District Commissioner came after a visit to the White House by Mr. Wilkins.

The article said that Wilkins had assured the Administration that Reeves' withdrawal would not draw any unfavorable reaction from colored persons.

Denying this, Mr. Wilkins said he talked in the White House on an entirely different matter, that the Reeves affairs never came up in the discussion, and that the NAACP had no comment on the case "in any way, shape or form."



FRANK D. REEVES is shown chatting with Clarence Mitchell, Washington representative of the NAACP, during the Senate hearings on Reeves' nomination to the post of District Commissioner. The picture was taken Tuesday when there was no indication of the storm which was to follow. (AFRO photo by Sorrell).

34c(1) 1961 D.C.

SEPTEMBER
APPOINTED STAFF POSITIONS IN THE
REPUBLICAN NATIONAL COMMITTEE
MR. LOUIS R. LAUTIER
MR. GRANT REYNOLDS

TWO NEGROES NAMED TO POSTS WITH G.O.P.

Special to The New York Times.

WASHINGTON, Sept. 12—Two Negroes were named Tuesday to important staff positions in the Republican National Committee.

Representative William E. Miller of upstate New York, committee chairman, announced the appointments of Louis R. Lautier, Washington newspaperman, as a special assistant for public relations, and Grant Reynolds, a lawyer of White Plains, N. Y., as counsel to the chairman.

Mr. Lautier has been chief Washington correspondent for the National Negro Press Association since 1945. He was the first Negro elected to active membership in the National Press Club.

Mr. Reynolds was graduated from the Columbia University School of Law. He has been active in the work of the National Association for the Advancement of Colored People. In 1946 he ran unsuccessfully for the House on a Republican-Liberal ticket against Representative Adam Clayton Powell Jr., Democrat of Manhattan.

Mr. Miller also let it be known today that Val Washington, also a Negro, had resigned as director of the Minorities Division of the national committee.

34c(1) 1961

D.C.

FRANK D. REEVES,(NAMED COMMISSIONER-
DISTRICT OF COLUMBIA)
WITHDRAWAL OF NAME

Tax Issue May Delay Reeves Confirmation

By GRACE BASSETT
Star Staff Writer

A delay in the confirmation of Frank D. Reeves as District Commissioner appeared likely today as an investigation of his tax payments began.

The Senate District Committee asked the Internal Revenue Service and the District government for records through the past 10 years of Mr. Reeves' tax status.

Mr. Reeves, 44-year-old attorney, freely acknowledged at Senate hearings yesterday that he had been delinquent in satisfying one Federal and two District tax liens since 1957.

He welcomed the examination of records because he said he could not recall details of past billings and tax amounts.

Political Charges

The Commissioner-designate was nominated by President Kennedy to succeed Robert E. McLaughlin, whose three-year term expires Friday. Mr. McLaughlin said he would continue to serve, as his appointment requires, until his successor qualifies.

Committee and full Senate confirmation is expected, although Mr. Reeves faced charges of political partisanship from Republican Senators at the hearing.

He insisted he could serve fairly as both Democratic national committeeman for the District and as a member of the Board of Commissioners. But he promised he would seriously consider any demand of the committee that he resign his political post.

Confer on Issue

W. John Kenney, chairman of the District Democratic Central Committee, conferred with District Committee Chairman Bible, Democrat of Nevada, yesterday afternoon about the partisan issue.

Afterwards, Mr. Kenney noted that Washington, with no elected representatives in Congress, might well be helped by a national committeeman. A party officer conceivably could put party power to work in Congress on city affairs, he reasoned.

Republican State Committee Chairman Carl Shipley launched a bitter attack on the qualifications of Mr. Reeves on both the tax and partisan counts, however.

Mr. Reeves is the first Negro to be nominated by the White House to become a District Commissioner since the present form of government was established in 1878.

The hearing was a curious mixture of good-natured and dedicated support and disturbed opposition. The room was packed. Many spectators stood. The three incumbents—Commissioners Walter Tobriner, Frederick Clarke and Mr. McLaughlin—sat together, in a silent show of solid support.

Admits Tardy Payments

Mr. Reeves acknowledged three tardy tax payments since 1957 — a Federal claim of $628.40 and two District liens of $63.29 and $51.33.

"I certainly would have no objection to examination of the complete record," said Mr. Reeves. "I hope the committee will indulge my specific lack of recollection of details.

"I can assure you that my failure to pay was solely and entirely due to my financial embarrassment, my inability to pay," Mr. Reeves told the committee.

The tax issue was raised by Senator Bible, who supports Mr. Reeves' nomination. But it was the suggestion of Senator Miller, Republican of Iowa, himself a tax lawyer, that tax records be turned over to the committee for study.

A bitter attack on Mr. Reeves' qualifications was launched by Mr. Shipley.

He testified the candidate's tax troubles show that "Mr. Reeves may be a chronic income tax delinquent."

Mr. Shipley asked the committee to search thoroughly through Mr. Reeves' assets and liabilities, and added that special attention should be focused on whether the appointee was in debt to any Washington businessmen.

He described Mr. Reeves' explanations of failure to pay certain taxes at the time they were due as "immature" and evidence of a "lack of responsibility."

"Careless handling of his own tax affairs hardly recommends Mr. Reeves as a proper official to supervise the tax affairs in the Nation's Capital," Mr. Shipley said.

Big Budget Advocate

"Mr. Reeves has always been," Mr. Shipley continued "an exponent of bigger welfare programs and a larger District budget. Who will pay the taxes to meet the budget, if others follow his example of 'oversight' as justification for nonpayment until the Federal and District Governments are forced to sue?'

Mr. Shipley said the candidate apparently "lacks the necessary qualifications for high public office."

Mr. Shipley said favorable action by the committee in effect would be approving a "double standard" which would have "great impact across the Nation."

The Shipley testimony was described by Clarence Mitchell, another witness, an official of the National Association for the Advancement of Colored People, as an attempt to "run through the wringer an individual who has distinguished himself as a civic leader, a lawyer and church worker."

He described the appearance of Mr. Shipley as "unchivalrous."

Another witness, Bishop Smallwood E. Williams of the Bible Way Church, Worldwide, testified that Mr. Reeves would make a "substantial contribution" to the affairs of the District. He said the appointment would place "race relations" in the United States in its proper prespective, and added that former President Eisenhower did not appoint enough Negroes to prominent positions in Government.

Republican Senators Miller and Beall of Maryland urged Mr. Reeves to resign as Democratic National Committeeman if he serves on the Board of Commissioners.

Mr. Reeves' reply, a ringing defense of the value of partisan politics in Government, was praised by committee members of both parties.

"In assuring you that I would allow no obligations to my party to interfere with my duties as Commissioner, I would ask you to consider two facts," Mr. Reeves said.

Partisanship Not Novel

"First all those appointed previously as Commissioners have been active in the political party which happened to be in power at the time. I do not think partisanship is novel with me. I have the honor, the distinction and the privilege, of which I am very proud, of having been elected by

"The fact that the citizens of the District elected a Negro, I believe, is a tribute to those citizens and certainly to me. I would hate to run out on the people who elected me, particularly now when we must educate the people on the presidential vote to be given them, and we must demonstrate that District citizens are ready for home rule.

"Secondly, I believe sincerely that partisan politics, as it exists in the United States and as it is coming to the District of Columbia, is the very basis of our institutions."

Would Consult Kennedy

Mr. Reeves said he hoped the committee would not demand his resignation as national committeeman.

Should this demand be the consensus of committee members, however, Mr. Reeves said he would consult with the Democratic National Committee members and with President Kennedy, "exercise my best judgment and act accordingly."

Mr. Reeves was lauded by Senator Humphrey, Democrat of Minnesota, who appeared personally. The Senator said the nominee was a "stalwart friend, a man of good character and a fine attorney."

As a close adviser to Senator Humphrey, Mr. Reeves helped the Minnesotan sweep the District's presidential primary last spring.

"The city did us a favor then," Senator Humphrey remarked, "and now we need to return the favor by confirming Mr. Reeves."

Senator Humphrey asked Senator Beall to refrain from "talking us out of this national committeeman too easily—it took an awful lot of work to get him there."

The tax problems of Mr. Reeves were raised immediately after the nominee had introduced himself before a standing-room-only audience.

Citing newspaper stories, Senator Bible asked him to explain these reports:

That he paid $628.40 January 6, 1959, on a Federal income tax lien filed against him October 18, 1957. That he paid $51.33 November 12, 1958, on a District income tax lien filed October 13, 1958.



Frank D. Reeves, President Kennedy's nominee as District Commissioner, hears testimony during his Senate hearing. Mrs. Reeves is seated two rows behind him.—Star Staff Photo.

That he paid $63.29 June 23, 1961, on another District income tax lien filed March 20, 1961.

Mr. Reeves said the delinquent accounts were "matters of oversight."

"Not that I was not aware of them, but in the course of events and the manner in which we handle our family finances, I did not pay in the time required," he added.

Wife, the Bookkeeper

He said his wife was the bookkeeper for household expenses. But he quickly added that he did not wish to shift the blame, which he accepted as his own, nor to "get into any trouble" with his wife.

Mrs. Reeves, a teacher, joined in the laughter.

Senator Miller, pressing the tax issue, said he had no concern with Mr. Reeves' intention to pay.

"What I am concerned with is your apparent failure to follow through with tax collectors on a system of payments and with the fact that liens were filed," the Senator said. "A tax lien is a last resort. Only when tax officials have reached a point of exhaustion will they file tax liens."

Senator Miller said he spoke from long experience as a lawyer in tax cases.

Asked of Other Instances

He asked Mr. Reeves if there were other instances of nonpayment, in addition to the three cited.

Mr. Reeves hesitated, as if to recall, and replied:

"I would have to say, to the best of my knowledge, there were no other instances. But I would have to rely on the records."

Then he volunteered, "I do believe there was one other time when I made special arrangements to pay."

Reeves Is Praised

"Are your tax payments now current?" Senator Bible asked.

Mr. Reeves said they were because they all were withheld from his checks.

A string of witnesses agreed with Committeeman Hartke, Democrat of Indiana, that Mr. Reeves was highly qualified for a commissionership and should be confirmed.

George E. C. Hayes, chairman of the District Public Utilities Commission and a Republican, testified that his presence at the hearing "indicates how I feel about Mr. Reeves."

As a former law teacher of the nominee, Mr. Hayes said the Commissioner - designate had demonstrated fine abilities since he was a young man. Mr. Hayes, nominated by President Eisenhower, was the first Negro to win a presidential appointment in the District Government.

Dr. Philip Johnson, also a Negro and president of the District Federation of Civic Associations, said he personally indorsed Mr. Reeves as a native Washingtonian who had "seen many Commissioners" and as spokesman for his board, which had voted unanimously to back the nomination.

Appointing Negro Seen Big Mistake

MERRY-GO-ROUND

By DREW PEARSON

WASHINGTON—Behind the withdrawal of Frank D. Reeves as first Negro commissioner for the District of Columbia was a fundamental error which goes deep into the problem of race relations. To understand it you have to go back and appreciate the facts which suddenly catapulted Frank Reeves from obscurity to a top job in the nation's capital for which he was not qualified.

Reeves, a pleasant, impecunious, relatively unknown Negro lawyer, got mixed up in two battles:

Battle No. 1 was between such go-or-die candidates for president of the United States as Sen. Wayne Morse of Oregon, Sen. Hubert Humphrey of Minnesota, and the supporters of Adlai Stevenson.

Battle No. 2 was for the control of the Democratic central committee for the District of Columbia. This had long been under a middle-of-the-road Washington attorney, Al Wheeler, who had cleaned up Democratic scandal in the district, but stayed in power 12 years and was thereby branded a dictator. Liberal Democrats were determined to get him out.

Into these two battles of white political big-shots, Frank Reeves, the unknown Negro lawyer, was thrust like a sparrow in a fast badminton game. Incidentally, he was not bashful about being thrust there. His feathers were not particularly ruffled.

In fact, he waged a one-man crusade to put the candidates on the spot.

"Would you vote for a Negro for a high position in government?" he challenged Sen. Morse of Oregon at one political rally in a Negro church.

"I would vote for a Negro if he was qualified," Morse replied, "but I would not vote for or against him merely because he was a Negro."

Reeves also sent telegrams to the presidential candidates asking whether they would or would not support Negroes for high positions in government.

The Afro-American List

Came the May 1960 election for Democratic delegates, for Democratic national committeeman, and Democratic chairman. A few days in advance, the Afro-American, a newspaper which influences Negro opinion in Washington, published the names of every Negro candidate for every office.

And when the ballots were counted, every Negro candidate ran ahead of his ticket.

The Negro population of Washington—around 53 per cent of the total — had voted right down the line on the basis of race, not qualification.

This set back home rule in the District of Columbia by two decades. In a city with a Negro population as heavy as that of Washington, people began to figure that any future mayor would be elected not on the basis of qualification, but on the basis of race.

In this election Frank Reeves, a pleasant, largely unknown Negro, nosed out J. C. Turner, the incumbent, for the post of Democratic national committeeman. Turner had been active in Democratic district affairs for a long time, but he was white.

Having been catapulted into the exciting spotlight of politics, Frank Reeves took a paid job traveling on the Kennedy train, where he got the reputation of being a camera-hog and a microphone-grabber. This and the simple precaution of checking tax records should have warned the Kennedy administration against appointing Reeves to the White House staff, later to be the first Negro commissioner of the nation's capital.

A little checking by the FBI would have found, among other things, that Reeves had bought a $47,000 home by borrowing from a liquor dealer, though at the same time failing to pay taxes. Of course, another famous politician, Richard Nixon, when a congressman, had acquired a $40,000 home and admitted to Peter Edson that he would not have been able to buy it had it not been for a gift of $18,000 from various interested businessmen in California. This was a gift, not a loan. And he performed favors for them just as it was claimed Reeves might perform favors for the liquor dealer.

However, Nixon had the powerful backing of the most potent newspapers in the United States determined to elect Eisenhower, plus a TV network placed at his disposal.

Reeves did not. He had enough white support from the new liberal Democratic central committee to put him in the White House, but not enough to confirm him as commissioner of the District of Columbia, a job to which he never should have been appointed.

So, like the sparrow caught in a very fast badminton game he retired—his feathers this time badly ruffled.

Undoing Foreign Aid Dollars

The State Department has managed to hush most of them up, but about two dozen protests have been lodged by African diplomats over insults because of their race.

At the very same time the United States is spending millions in the new African republics to keep them out of the Communist orbit, taxi drivers in Washington, barbershops, and beauty parlors are treating African diplomats in a manner which undoes the effect of those dollars.

As of today, 30 of the 100 African diplomats in Washington haven't been able to find decent homes for their families and are living in segregated areas, some distance away from the diplomatic community.

The situation is similar in New York, where many African delegates to the United Nations are so outraged over discrimination that they have joined with the Russians in demanding that the United Nations headquarters be moved out of the United States.

34c(1) 1961 D.C.

PETER S. RIDLEY
RECORDER OF DEEDS

Ridley Gets Recorder Of Deeds Post Vacated By John Duncan

Atlanta World 8/

Wed 8-2-61

WASHINGTON — (ANP) — A precedent was established here last week in naming Peter S. Ridley of Newport News, Va., to be recorder of deeds succeeding John B. Duncan who was sworn in as the district's first Negro commissioner.

The job which heretofore has been a political prize, reserved traditionally for Negroes, has now become a career appointment.

Ridley, who has been first deputy recorder since 1952, was promoted to the top post. The commissioners, who made the appointment, said that this is in line with a new policy.

It was explained that the commissioners wish future appointments to be made in accordance with Civil Service regulations, although the position will not come under the Civil Service Commission.

IN WASHINGTON 30 YEARS

Ridley, a native of Newport News, Va., has lived in Washington more than 30 years. He and his wife, Virginia, live at 3816 17th St., N. E.

He holds a bachelor's and master's degrees from Howard University and a law degree from Terrell Law School. He was an instructor in psychology at Howard from 1946 to 1950, and studied two years for a doctorate at Columbia University.

SERVED RED CROSS IN WORLD WAR II

His administrative experience totals more than 21 years. He served as dean of St. Paul Polytechnic Institute in Lawrenceville, Va., for 7 years, and during World War II he was a Red Cross director in England and on the continent.

Before ne was appointed first deputy Recorder of Deeds, Ridley was public relations consultant for the Red Cross.

Ridley is a member of more than 15 civic, fraternal and professional

34c(1) 1961 D.C.

ATTY. WILLIAM L. TAYLOR
APPOINTED- SPECIAL ASSISTANT TO STAFF DIRECTOR OF THE U.S. COMMISSION ON CIVIL RIGHTS

Lawyer Named Assistant On Civil Rights

Journal and Guide
P.10
Sat. 8-19-61
Norfolk, Va.

WASHINGTON, D. C.—The appointment of William L. Taylor as Special Assistant to staff director of the U. S. Commission on Civil Rights has been announced by Berl I Bernhard, staff director of the Commission on Civil Rights.

Mr. Taylor, 29, is a graduate of Yale Law school and a member of the New York Bar. He has served as an attorney in civil rights cases, and as the legislative representative of Americans for Democratic Action. His responsibilities with the commission will include liaison with the White House and with federal departments and agencies.

A resident of Takoma Park, Md., Mr. Taylor is married and has two daughters.

34c(1) 1961 D.C.

SEPTEMBER
ATTY. THURGOOD MARSHALL
SLATED FOR APPOINTMENT TO ONE OF THREE
NEW JUDGESHIPS ON THE UNITED STATES
COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall Slated To Get Circuit Court Post

Kaufman Also in Line for One of 3 New Seats—Hays Considered

Thurgood Marshall, chief counsel to the National Association for the Advancement of Colored People, is slated for appointment to one of three new judgships on the United States Court of Appeals for the Second Circuit.

The Second Circuit encompasses Connecticut, New York and Vermont.

Mr. Marshall, a Negro, has been in the forefront of the fight to end the segregation in Southern schools and to attain equal rights for Negroes in public transportation and other areas.

Meanwhile, President Kennedy announced in Washington yesterday his intention to nominate District Judge Irving R. Kaufman of the Southern District of New York to one of the new places on the Circuit Court bench.

And Paul R. Hays, state chairman of the Liberal party and a professor at the Columbia Law School, is under consideration for the third place.

The possible choice for the place reportedly is John P. Cotter of Hartford, member of the Connecticut Superior Court.

Mr. Marshall's scheduled appointment became known yesterday when he asked that his name be romoved from consideration as a possible candidate for the State Supreme Court. His request was made to a committee of lawyers that is assembling recommendations for Mayor Wagner for two vacancies in the First Judicial District, consisting of Manhattan and the Bronx.

Mr. Marshall's appointment would not be the first of a Negro to the Circuit Court. Since 1949, Judge William Henry Hastie of Philadelphia, a former Governor of the Virgin Islands, has been a member of the bench in the Third Circuit, consisting of New Jersey, Pennsylvania and the Virgin Islands.



The New York Times

Thurgood Marshall

Another Negro, Robert Carter, assistant counsel to the N. A. A. C. P., is under consideration for one of eight vacancies on the Federal District Court of the Southern District. Six of the vacancies are the result of new judgeships approved by Congress this year.

Joined N. A. A. C. P. in 1936

Mr. Marshall, 53 years old and a resident of Morningside Gardens, a cooperative apartment house near Columbia University, joined the N. A. A. C. P. in 1936 as assistant counsel, and since 1938 has been the organization's chief legal adviser.

He is a graduate of Lincoln University in Chester, Pa., and was graduated from the Howard University Law School in Washington at the top of his class.

President Kennedy was also reported yesterday to be ready to name Thomas Dugan of Greenvale, L.I., as United States Marshal for the Eastern District of New York.

Mr. Dugan, who is deputy chief investigator for the Waterfront Commission, a bi-state agency, was formerly a narcotics agent for the Treasury Department and an investigator for the State Investigation Commission.

Mr. Dugan has received the endorsement of John English, the Nassau County Democratic chairman. The position, which has a salary of $18,000 is now held by Joseph Stockinger.

12 Posts to Be Filled

Special to The New York Times.

WASHINGTON, Sept. 13—There are twelve vacancies on the Federal bench in New York City to be filled by the Kennedy Administration.

Judge Kaufman is a Democrat, and his selection comes, significantly, less than a week afetr Mayor's successful contest for the Democratic nomination for re-election.

Political sources in Washington indicated some weeks ago that no judicial nominations in New York would be cleared until after the primary. It is assumed that Mayor Wagner's views were solicited before the choice of Judge Kaufman was announced.



THURGOOD MARSHALL
. . . NAACP lawyer

Negro said possible new judge choice

WASHINGTON, Sept. 14—(AP)—President Kennedy is considering naming Thurgood Marshall, general counsel of the National Association for the Advancement of Colored People, to a federal judgeship.

An informed source said last night Marshall is under consideration for one of three new judgeships for the U. S. Second Circuit Court of Appeals.

The White House said yesterday Kennedy plans to nominate District Judge Irving R. Kaufman of New York to one of the Appeals Court posts.

Kaufman, 50, has been a judge for the Southern District of New York since October, 1945. It was he who sentenced atomic spies Ethel and Julius Rosenberg to the electric chair. They were executed June 19, 1953.

Kaufman is a Democrat.

MARSHALL, 53, A NEGRO, has played a leading role in moves to end segregation in the South. He has been chief counsel for the NAACP since 1938.

Sources said there has been no final decision about whether Marshall will be named to the federal judgeship.

The second circuit covers Connecticut, Vermont and New York.

34c(1) 1961

Miss Roberta Church is new consultant on aging program

WASHINGTON

Appointment of Miss S. Roberta Church of Memphis, Tenn., as consultant on rehabilitation of the aging disabled was announced today by Miss Mary E. Switzer, director of the Office of Vocational Rehabilitation.

Miss Church will be responsible for planning and developing a nation - wide program for the rehabilitation of older handicapped people. The program will include provision of consultative services to the OVR staff and state rehabilitation agencies regarding improvement and expansion of rehabilitation services for such persons.

THE PROGRAM will also include promotion and review of research projects; development of training programs and conferences to make the general public more aware of the problems of the aged, and to increase their employment and social opportunities.

For the past seven years Miss Church has been employed as consultant in the Bureau of Employment Security, U.S. Department of Labor. Prior to that she was engaged in social work with child welfare and public assistance agencies in Chicago.



Negro Chosen For D. C. Post

John B. Duncan To Be Nominated

WASHINGTON, July 10 (AP)—President Kennedy today selected John B. Duncan, 51, a Negro veteran of government service, to be a member of the District of Columbia Board of Commissioners.

The White House announced a formal nomination will be sent to the Senate later.

The three-member board administers municipal affairs here. More than half the population of Washington is Negro, and there have been persistent demands from Negro leaders that a member of their race get a place on the board.

Earlier, Kennedy nominated Frank D. Reeves, a Washington Negro attorney, for the $19,000-a-year job. At the time, Reeves was serving as a special presidential assistant.

It developed in Senate hearings that Reeves had been delinquent several times in filing or paying both District of Columbia and Federal income taxes. Questions also were raised without definitive answers as to the financing of his purchase of a $47,000 home.

Reeves asked withdrawal of his nomination. He is Democratic national committeeman for the District of Columbia, and he said some senators felt there would be a conflict of interest if he served as commissioner and also held the party office.

The White House withdrew the nomination. It also announced Reeves had resigned as a presidential assistant.

Duncan, a Democrat, has been recorder of deeds for the District of Columbia since 1952. Born in Springfield, Ky., Duncan entered government service as a messenger for the Interior Dept. in 1934.

Banks named to head housing relocation unit

WASHINGTON — (NNPA) Commissioner William L. Slayton of the Urban Renewal Administration Friday announced the appointment of James G. Banks of Washington, D.C., as assistant commissioner for Relocation and Community Organization.

The position is a new one. A native of Washington, Mr. Banks is a gradute of Dunbar High School here and holds a bachelor of arts degree from Howard University. He received a master of arts degree in sociology from the University of Pittsburgh.

From 1945 to 1951, Mr. Banks was employed by the National Capital Housing Authority, successively as interviewer, tenant counselor and supervisor of tenant selection.

SINCE 1951, he has been a member of the staff of the District of Columbia Redevelopment Land Agency, most recently as chief of the Rehabilitation and Project Management Division.

In the latter job, Mr. Banks received two major awards for handling relocation of families from the Southwest Washington Redevelopment area — the Outstanding Citizen Award of the District of Columbia Columbia League of Women Voters in 1955, and the Outstanding Performance Award from the D.C. Redevelopment Land Agency.

Mr. Banks, 40, is married and the father of three sons.

Virginia Battle Gets Post as Aide to Udall

WASHINGTON—Mrs. Virginia Battle was sworn in here Monday as secretary to Stewart Udall. Secretary of the U. S. Department of the Interior.



Mrs. Battle

Mrs. Battle, formerly of Boston, Mass., joined the White House staff in 1960, after having worked for President John F. Kennedy during his term of office in the U. S. Senate.

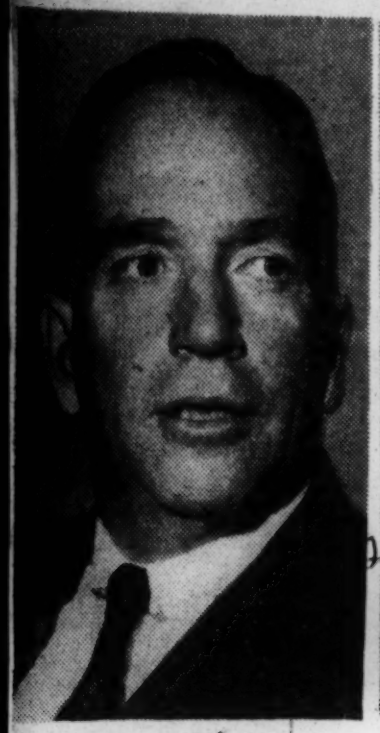
She had been the first Negro from New England to serve on a Congressional staff.

WIFE OF HENRY B. Battle Jr., she belongs to the Gethsemane Baptist Church here in Washington, D. C. While in Boston she had attended the 12th Baptist Church of that city.

Mrs. Battle is a graduate of Boston Girl's High School and later attended Boston Clerical High School.

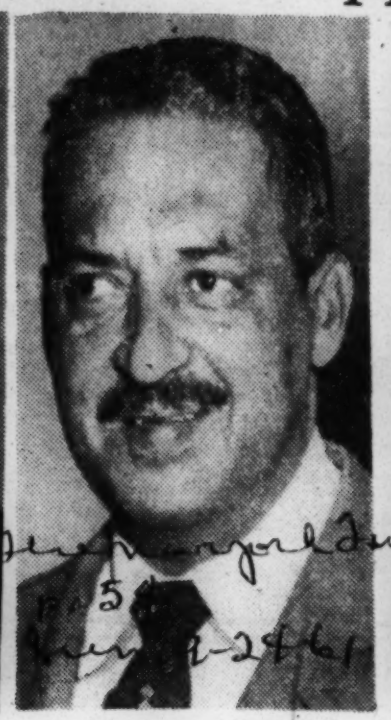
34c(1) 1961 D.C. SEPTEMBER

Marshall Named to Appeals Court



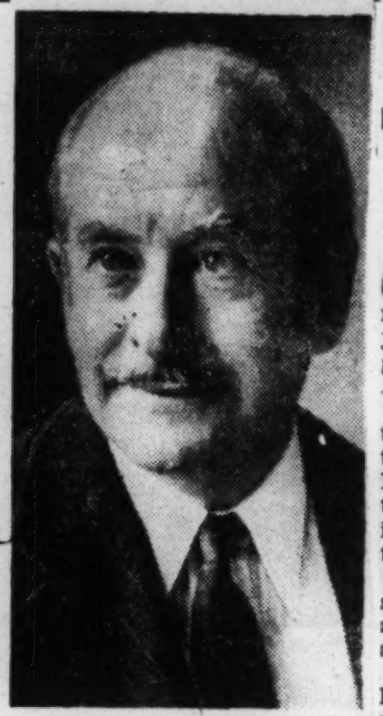
Dudley B. Bonsal

A SIX-FOOT, 54-year-old lawyer who has specialized in private international practice . . . has often expressed concern over the need for greater individual freedoms . . . holds that personal security and rights of the individual are important aspects of national security . . . was chosen in 1956 by city bar leaders to head their study of the Federal loyalty-security program . . . urged due-process reforms on grounds that liberties must be upheld in this country as "a continuing appeal to the oppressed in every land" . . . was born of an early American family in Bedford, N. Y., Oct. 6, 1906 . . . received A. B. from Dartmouth in 1927 . . . LL. B. from Harvard in 1930 . . . Admitted New York bar in 1932 . . . past president of Association of the Bar of the City of New York . . . is a registered Democrat who often splits ticket . . . married to former Lois Worrall . . . has grown son and daughter . . . lives in Bedford Village home and New York apartment.



Thurgood Marshall

GREAT-GRANDCHILD of Negro slaves . . . outstanding civil rights lawyer for nearly two decades . . . chief counsel to National Association for Advancement of Colored People . . . director counsel for its Legal Defense and Educational Fund, Inc., since 1940 . . . has won twenty-five cases before Supreme Court covering broad areas of civil rights . . . during the last two years has worked with Southern lawyers on arrests of Freedom riders, sit-ins and pickets . . . turned down all earlier approaches on bench appointments . . , at 53, apparently ready to retire from strenuous career as lawyer . . . first ambition to be a dentist . . . received Bachelor's Degree from Lincoln University in Pennsylvania . . . decided on law after experience at segregated theatre . . . took law degree at Howard University . . . Has two small sons by second wife, the former Cecelia Suyat of Hawaii . . . is a Protestant Episcopal Vestryman, a Thirty-third degree Mason and a sought-after speaker.



Associated Press

Irving Ben Cooper

A JUDGE with a long record of deep concern for first offenders and young people in trouble . . . was first member of Special Sessions Court here to receive appointments and reappointments by four consecutive Mayors . . . his resignation last year accepted by Mayor Wagner with comment: "We are losing one of our best judges, a man of impeccable integrity and great devotion to his task" . . . one of six children of an English immigrant tailor . . . attended high schools in Roselle, N. J., and St. Joseph, Mo. . . . received A. B. from University of Missouri in 1922 and an LL. B. from Washington University in St. Louis in 1925 . . . received his first important assignment here as investigator and prosecutor in Seabury investigation . . . was special counsel for three years under Mayor La Guardia in Department of Accounts (now Department of Investigation) . . . is 61 years old . . . was married to former Anita Bennett in 1929 and has two grown children.

MARSHALL NAMED TO APPEALS COURT

N.A.A.C.P. Counsel Is Picked by President Kennedy

Special to The New York Times.

HYANNIS PORT, Mass., Sept 23—President Kennedy nuominated eight new Federal judges today including Thurgood Marshall to the Court of Appeals for the Second Circuit.

Mr. Marshall is chief counsel to the National Association for the advancement of Colored People. He has participated in the legal conduct of court cases involving that organization and the rights of Negroes since 1938.

His nomination, which was sent to the Senate today, is for a life term at a salary of 25,500 a year.

Pierre Salinger, the White House press secretary, said it was doubtful that the Senate would have time to firm Mr. Marshall at the session, since Congress was rushing toward adjournment.

In that case, he said, Mr. Marshall, a Negro, would receive an interim appointment, enablin ghim to serve on the Second Circuit bench. His nomination still would be pending before the Senate when the Congresss reconvenes in January. The Second Circuit covers Vermont, Connecticut and New York.

District Judges Named

President Kennedy also sent to the Senate today the nominations of two Federal district judges, both for the South District of New York. They were Dudley B. Bonsal of 150 East Seventy-third Street, New York, and Irving Ben Cooper of 33 Riverside Drive, New York.

The President also nominated a career Foreign Service officer, Paul Green, to be the deputy director of the Peace Corps.

In addition, the President named John Weld Peck and Ben C. Green to be district judges in Ohio, Frederick Daugherty to be a district judge in Oklahoma, Clarence W. Allgood to be a district judge in Alabama, and Talbot Smith to be a district judge in Michigan.

All the judicial nominations were to judgeships created this year by Congress.

Mr. Marshall's nomination was the tenth the President has made to a circuit judgeship, and it completed filling the circuit positions open to him. With the district judgeships announced today the President has filled 40 of the 63 places available under the new legislation.

Senate Fight Expected

The naming of Mr. Marshall, a New Yorker, was expected to be highly controversial. He is likely to be opposed by a number of Southern Senators. The opposition may be particularly heavy in the Judiciary Committee, which must recommend his confirmation to the Senate.

Senator James O. Eastland, Democrat of Mississippi, is chairman of the committee and its deliberations often are dominated by Southerners.

Mr. Green, named as the Peace Corps deputy director, is 47 years old and has had a varied career in diplomacy and education. His present position is that of deputy director of the Office of International Financial and Development Affairs in the State Department.

He was educated at Baylor University, Louisiana State University and Harvard, where he earned a Doctor of Philosophy degree in economics in 1941.

In World War II, he served in Burma with Dr. Gordon Seagrave and late under Gen. Joseph Stilwell.

He is the author of "Burma Diary"; "New Voices, Old Worlds" and "Freedom vs. Communism."

ATTY. THURGOOD MARSHALL

34c(1) 1961

D.C.

ATTY. GEORGE L.P. WEAVER
APPOINTED- ASSISTANT SECRETARY OF LABOR
FOR INTERNATIONAL AFFAIRS

NEGRO IS SELECTED AS GOLDBERG AIDE



George L. P. Weaver

Replaces George Lodge, Who May Run for Senate

Special to The New York Times.

HYANNIS PORT Mass., July 8—George L. P. Weaver of the District of Columbia will be appointed to succeed George Cabot Lodge as Assistant Secretary of Labor for International Affairs, President Kennedy announced today.

In the $20,000-a-year post, Mr. Weaver will work closely with the international groups concerned with labor problems.

He is the second Negro to hold the office. In the Eisenhower Administration, J. Ernest Wilkins Sr. became the first Negro to hold so high a Government office.

Mr. Weaver's rank in the present Administration will be exceeded by only one Negro—Robert C. Weaver, the director of the Housing and Home Finance Agency.

Mr. Lodge, a Republican, was also appointed in the Eisenhower Administration. He remained in office while he was also an officer of the International Labor Organization.

His incumbency in the international post has now ended. Mr. Lodge is believed to be considering running for the Massachusetts seat in the Senate formerly held by President Kennedy.

His opponent could be the President's brother, Edward M. Kennedy, Massachusetts political sources say.

Mr. Weaver has been serving as a special assistant to the Secretary of Labor, Arthur J. Goldberg. He is 49 years old, a native of Pittsburgh, and a graduate of the Howard University Law School in Washington.

The White House announcement said Mr. Weaver had spent "his entire woring life" in the labor movement. He worked for the old Congress of Industrial Organizations in 1941, as a member of its war relief committee. In 1942 he also became an officer of the C.O.O's civil rights committee, and served in both capacities until the C.I.O. merged with the American Federation of Labor in 1955.

After the merger, he was

After the merger, he was executive secretary of the A.F.L.-C.I.O. civil rights committee. In 1958, he became an assistant to the president of the International Union of Electrical, Radio and Machine Workers, directing the union's political education program.

On several special missions with the Government, he carried out assignments for the National Security Resources Board, the Reconstruction Finance Corporation, the International Labor Organization and the International Confederation of Free Trade Unions.

Mr. Weaver will have to be confirmed by the Senate before he can assume his new post.



NEW LABOR DEPT. AIDE—George L. P. Weaver (right) was sworn in as Assistant Secretary in the Department of Labor Friday in Washington. At left is Secretary of Labor Arthur J. Goldberg and in center, holding the Bible, Senator Stuart Symington, Mr. Weaver will be in charge of international affairs in the Labor Department.

34c(1) 1961 D.C.

Outlines Program Designed To Help All

Dr. Weaver Has The Will, If They Let Him Have Way With Housing

By EDWARD COWAN
United Press Internatonal

WASHINGTON — Rober Clifton Weaver, the new boss of the vast array of federal housing programs, sees his first task as reviving the ailng home buildng industry to reduce unemployment and give business, generally, a lift.

Second in his list of priorities is revitalizing the Federal aspects of urban renewal - cutting red tape and getting more demolition, rebuilding and rehabilitation actually under way in the nation's cities.

THIRD, Dr. Weaver wants to turn his attention to the problem of providing adequate housing for poor people who cannot afford and do not now have decent shelter.

Experienced in housing work at the Federal, state and local levels, Dr. Weaver, 53, harbors no illusions about the difficulty of getting things done in big government.

HE WELL appreciates the difficulty is multiplied when one government - the federal - is trying to work together with lesser authorities and get them to work with each other.

President Kennedy"s nomination of Dr. Weaver to be administrator of the Housing and Home Finance Agency, highest housing post in the nation, ran into more opposition and sniping in the Senate than that of any of his appointees.

DR. WEAVER is a Negro and a dedicated worker for equal rights and opportunities for all people. His nomination amounted to a tacit renewal by Pres. Kennedy of a pledge to issue an executive order banning seggregation in federally - aiders and some senators have expressed qualms that such an order would slow down the industry in the South.

He graduated with honors from Harvard in 1929 and went on to graduate school, where he earned master's and docotrate degrees in economics. After a brief time teaching at North Carolina Agricultural and Technical college, he accepted an offer in 1933 to work for Harold L. Ickes, then Secretary of Interior and boss of the works Progress Administration.

FROM THERE Dr. Weaver went on to the U. S. Housing Authority and later, several wartime agencies.

In 1944 - 45 he held a municipal post in Chicago and in 1947 - 48 lectured at Northwestern university in Evanston. He has taught also at Teachers college, New York, and New York university.

FORMER NEW York Gov. Averell Harriman made Dr. Weaver deputy commissioner of housing and, subsequently administrator of the state Housing Rent Commission. He resigned as vice chairman of the Housing and Redevelopment Board of New York City to come to Washington and took a $1,500 - year pay cut to $21,000.

LAST YEAR he was elected board chairman of the National Association for the Advancement of Colored People, a post he also has resigned.

Because his housing experience is heavily in public housng, his selection has been critized by the industry which is 97 per cent private home building and 3 per cent public housing. However, he is widely recognized as a man of abilty and accomplishment.



Dr. Robert C. Weaver
A Man With A Program

HE WILL NEED all the ability he can muster on his new job. It is a difficult one, especially if the battle for "open occupancy" in federally - aided housing is to be joined - and Dr. Weaver expects it will.

3 Negroes Given Posts In Treasury

By the Associated Press

The Treasury has announced three more appointments in a campaign to hire Negroes for professional positions.

Reporting the appointment of two economists and a management analyst, the department said yesterday:

"Their employment brings to a total of four the number of Negroes appointed this year to important positions of this kind in the Treasury Department. They are the first Negroes ever to be appointed to such posts in the Treasury."

The three jobs filled today carry salaries ranging from $5,685 to $6,600 a year. An earlier appointment, of Samuel Westerfield as associate director of the Office of Debt Analysis, was at about $15,000 a year.

The new appointees are:

Jesse Johnson, 41, formerly an assistant with the President's committee on Government Contracts, as management analyst in the office of the administrative assistant secretary.

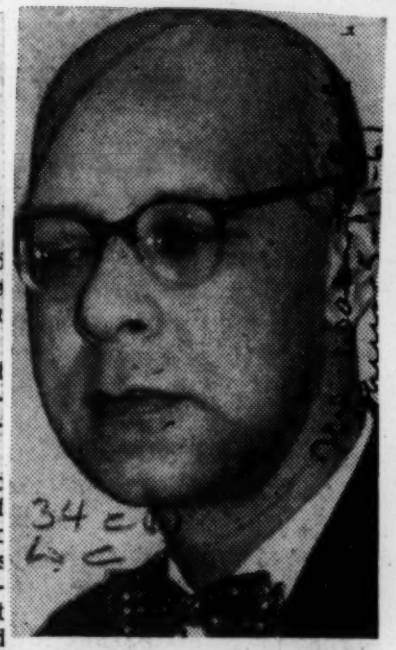
Charles A. Dorsey, 39, former research assistant in the Office of Naval Operations, as fiscal economist in the Office of Debt Analysis.

Robert C. Vowels, an economics instructor at Howard University, as fiscal economist in the Office of Tax Analysis.

Negro Named To High Post In Pentagon

Roy K. Davenport, a career man in Government service has been appointed special assistant for personnel in the Office of the Under Secretary of the Army, Defense Secretary Robert S. McNamara has announced.

It is the highest post held by a Negro in the Department of the Army.



U. S. Army Photo

ROY K. DAVENPORT
. . . named to Army post

In his new job, Davenport will help coordinate personnel management matters with other Government agencies and private industry. He will recommend policies for Army personnel programs, both military and civilian, and study the effectiveness of present programs.

Davenport has been serving as military personnel management specialist in the Office of the Adjutant General. He started work with that office in 1942.

For his work in Government service, Davenport has been awarded several top civilian personnel awards. Last year he was presented the Exceptional Civilian Service Award. The highest award given to a civilian employe. Earlier he received the Meritorious Service Award, a merit citation from the National Civil Service League, and outstanding performance awards in 1954 and 1960.



Journal & Guide
34 c (1) 10c
Norfolk, Va.
Sat. 5-13-61

Presidential Assistant Given Keys To City

Attorney Frank D. Reeves, special assistant to President Kennedy, third from left, is shown holding the "key to Durham, N. C." awarded him by Mayor E. J. Evans, second from right.

As Law Day speaker at North Carolina College, Reeves said President Kennedy is making equal opportunities throughout the country a principle aim of his administration.

Also shown above left to right are: President Alfonso Elder, Law School Dean Albert L. Turner, Mr. Reeves, City Councilman J. S. Stewart, Dr. J. H. Wheeler, president of Mechanics & Farmers Bank; Mayor Evans, and Dr. A. T. Spaulding, president of North Carolina Mutual Life Insurance Company.

3/c(1) 1961 D.C.

Sherman Briscoe Provides Service For Farmers

Chicago Defender

By GAYLORD P. GODWIN

WASHINGTON — (UPI) — Sherman Briscoe is an information specialist for the Agriculture department. His specialty is agricultural information for Negroes.

Briscoe, 52, is a Negro, born and reared on a sharecropper farm in Mississippi. He won an A.B. degree from Southern university, Baton Rouge, La., and an A.M. degree from American University, Washington. He taught school, edited a weekly newspaper in the south, and once was city editor of the Chicago Defender. He joined the department in 1941 and immediately began writing about agriculture as it affects Negroes. His work won him a superior service award.

"It is a work I love," Briscoe told United Press International. "If I had the money to live otherwise, I'd do it for nothing."

Briscoe has a wide audience. He mails copy once a week to about 160 Negro newspapers and magazines. If he has a feature story on the successful achievements of a Negro farmer, the copy also goes to other newspapers in the area.

VITAL SERVICE

His copy usually consists of a collection of news stories important to Negro farmers. He frequently explains the use of department facilities, especially those relating to soil conservation, credit, and extension, or education, work.

The feature story on a Negro's success is a must with Briscoe.

"I want to help the Negro to see the brighter side of Negro life," he said. "I try to bring to the Negro the success story of Negro farmers. The Negro already knows of his failures, and he seldom sees stories of the successes that Negroes have racked up. Such stories cheer them."

Briscoe said the role of the Negro in American agriculture is considerable. He said the potential of the Negro farmer is good because year by year he is stepping up his farming know-how through the aid of some 400 Negro agricutural extension workers in the 17 states of the southern region.

Their work is buttressed, he said, by about 400 Negro home demonstration agents who teach rural homemakers to grow year-round gardens, and can or freeze fruits, vegetables and meats to reduce out-of-pocket living costs.

"Both the farm and home agents are showing the families how to save also through careful planning, wise purchases and realistic budgeting," he said.

There are about 300,000 Negro farmers in the United States. Their numbers are shrinking, just like the white farmer population is declining. There were 700,000 Negro farmers in 1940.

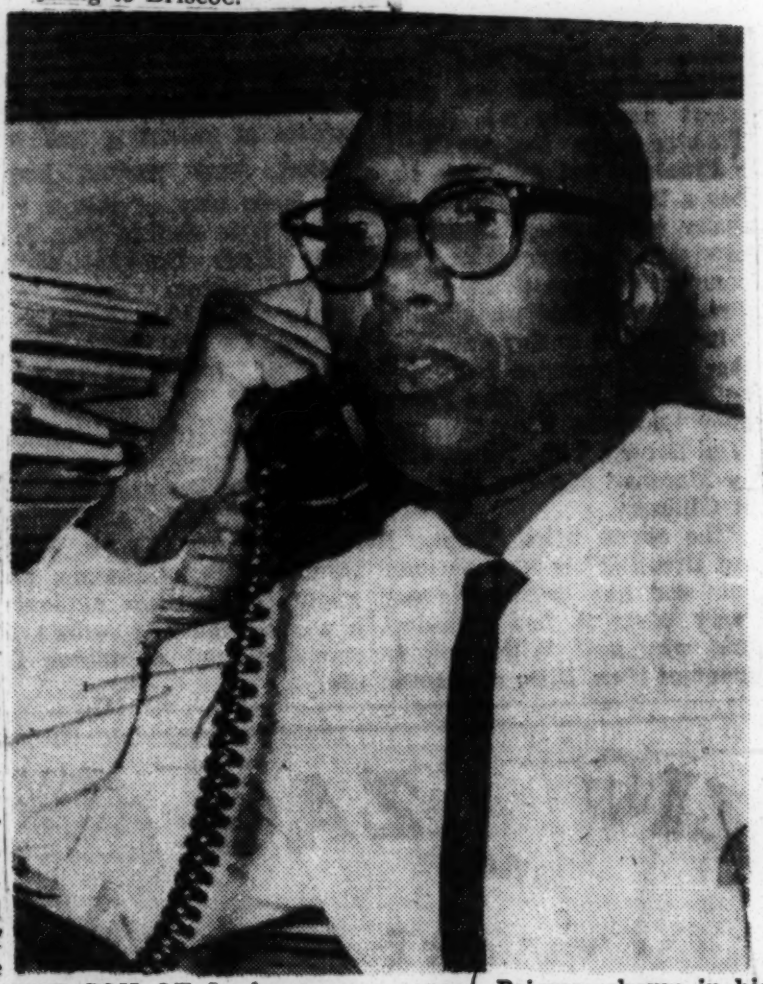
About 150,000 Negroes own their farms and there are about 135,000 Negro farmers on tenant and sharecropper farms. Some 10 million acres are owned and about twice that acreage is farmed by Negroes.

The renters and sharecroppers have left the farm either because there was little opportunity for thm there or because the city pastures seemed greener, Briscoe said. Most of the owners and a number of the more substantial tenants have remained.

Briscoe said a casual drive through the south on the main highways does not give a correct impression of Negro agriculture.

"Go south by almost any route," Briscoe said, "Through the coastal plans, via the Carolina Piedmont, along the Mississippi, or down from Kansas to Houston, and one is likely to see along the highways many small farms whose operators still walk behind a mule-drawn plow."

A large proportion of these, he said, are Negro farmers. The number using the one-row plow is decreasing and many now ride multiple-row tractors up and down the fields. Land close to the highways is high in price, he said, and Negro owners and tenants can't afford it. Naturally, the ones who are there have shabby homes because of the economics of the situation. But this does not present a true picture of Negro agriculture, according to Briscoe.



THE SON OF A sharecropper. Sherman Briscoe is an information specialist for the Agriculture Department, whose job is to dispense agriculture information to Negroes. Briscoe, shown in his office, mails copy each week to about 160 Negro newspapers and magazines. A former school teacher and newsman, he joined the department in 1941.

34c(1) 1961

D.C.

APPOINTED-FIRST LIEUTENANT ON THE GUARD FORCE
POST OFFICE DEPARTMENT (MAIN BLDG.)

Post Office department appoints 1st tan lieut.

WASHINGTON

Thirty - five years of service and dedication to duty culminated in success for John Q. Royster of 1723 U St., NW, recently.

Royster was appointed a lieutenant on the guard force at the Post Office Department's main building, July 8, marking the first time a colored person has served in this capacity with the Post Office Department.

In June, Royster, who is 64 years of age, was appointed an acting lieutenant to serve for a period of 90 days, but in view of his excellent record and on the recommendation of Captain of the Guard, Captain Phillip Zagami, this requirement was waived and he received his permanent appointment as lieutenant after 30 days.

* * *

ROYSTER came to Washington from Evergreen, Ala., shortly after WW I after serving in the U.S. Army as a sergeant and seeing action in the battle of the Meuse - Argonne offensive.

Shortly after his arrival in the District he went to work for Dulin - Martins Furniture Store as a stock clerk.

In 1927, he entered government service as a messenger in the War Department, now known as the Department of Defense.

Royster left the War Department in 1931 to join the Postal Service as a mail handler where he remained until 1956, and at which time he became a guard at the post office.

* * *

CAPTAIN ZAGAMI said, "I have known Royster for a number of years and I consider him to be a very capable man.

"He's up in his years now, but he is and has been a very conscientious person."

"He was one of two people recommended for the position of lieutenant and due to his seniority and work record it was given to him," he said.

Royster attended Conecuh County School in Evergreen, Ala., and Tuskegee Institute, graduating in 1917.

HE IS A vice - chancellor of the Knights of Pythias, Lodge No. 6; president of the Watchmen's, Guards and Mail Handlers; Prince Hall Masons, Social Lodge No. 1 and a member of the Board of Trustees of the Gordon Cnvalescent and Rest Home.

He is also a 40-year member of the John Wesley Church.

An enthusiastic sportsman, Royster likes to fish and hunt for relaxation and he is interested in most outdoor sports.

34c(1) 1961 D.C.

DR. MABEL MURPHY SMYTHE -APPOINTED TO THE U.S. ADVISORY COMMISSION ON EDUCATIONAL EXCHANGE



NEW APPOINTEE — Dr. Mabel Murphy Smythe of New York City is congratulated by Vice President Lyndon B. Johnson upon her appointment to the U.S. Advisory Commission on Educational Exchange.

34c(1) 1961 D.C.

APPOINTMENT-ATTY. LISLE C. CARTER, JR.
DEPUTY ASSISTANT SECRETARY IN THE DEPTMENT OF
HEALTH, EDUCATION AND WELFARE

Lisle Carter Gets Health, Welfare Post

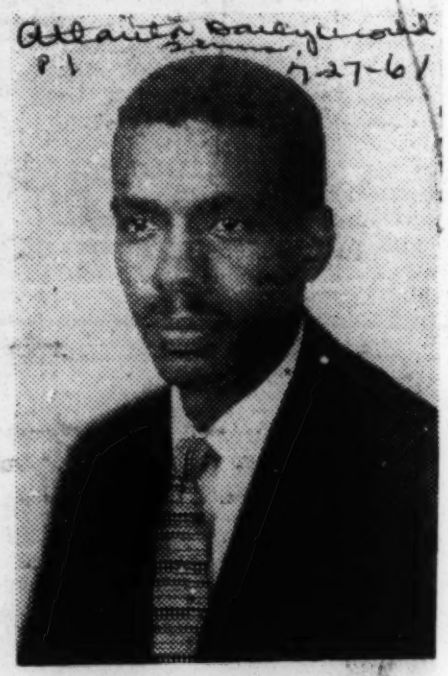
Appointment of Lisle C. Carter, Jr., as Deputy Assistant Secretary in the Department of Health, Education, and Welfare was announced Wednesday by Secretary Abraham Ribicoff.

Carter, a 35-year-old attorney an dnative of New York City, will work with Asistant Secretary James Quigley in the development and administration of programs within the Department.

Prior to assuming his present post, Carter was legal counsel for the National Urban League, a position he had held since January, 1960. From 1957 until the present, he was a member of the Board of Correction of New York City as well as serving on the Board of Directors of the American Civil Liberties Union. From 1954 to 1956 he was Executive Director of the Washington D. C. Urban League.

He graduated from Dartmouth College in 1944, and received his law degree, cum laude, from St. John's University School of Law in 1950

An Army veteran of World War II, Carter is married and the father of three children. He will make his home in Washington, D. C.



LISLE C. CARTER JR.

Westerfield Of Atlanta U. Named To Treasury Dept.

Atlanta Daily World
Atlanta, Ga.
Thurs. 4-6-61

WASHINGTON—(UPI)— Treasury Secretary Douglas Dillon Wednesday appointed Dr. Samuel Z. Westerfield, Jr., as associate director of the Treasury's debt analysis staff, effective June 1.

Westerfield, 41, dean of the school of business administration at Atlanta University, will serve as a consultant to the secretary on monetary matters until he assumed his $15,250-a-year post.

Dr. Westerfield will be the only member of his race to hold a high position in the office of the Treasury Secretary in recent years. Mr. Dillion, in announcing the appointment, said that "as one of the nation's leading economists, Dr. Westerfield will be extremely helpful in the formulation of both domestic and international financial policy."

Westerfield, a native of Washngton, D.C., has been a member of the Atlanta University staff since 1947, when he came here from Lincoln University, (Missouri) where he had served as Acting Chairman of the Dept. of Economics and Business Administration.

He is a graduate of Harvard University, and was a class mate of Robert Roosa, Under secretary, treasury Dept., and has just returned to Atlanta from a leave of absence which took him to Harvard and Africa. Westerfield is married to Mrs. Helene Westerfield, and is the father of two children, Samuel, Jr., 14, and Shelia, 9.

NEGRO NAMED HIGH POSTAL OFFICIAL

Atlanta Daily World
Atlanta, Ga.
Wed. 2-22-61

WASHINGTON — (UPI)—President Kennedy Tuesday nominated Christopher Columbus Scott, a Negro, to be deputy assistant postmaster general for transportation. It is the highest position for which a Negro has been named in the Post Office Department.

Scott, 58, is a career employee of the postal service who started as a substitute clerk in the Los Angeles post office in 1923. He is now superintendent of outgoing mail in that post office.

Morrow Gets New Job in D.C.

The Pittsburgh Courier
Pittsburgh, Pa.
Feb. 11, 1961
Page A-2
Col. 6
34c(1)

NEW YORK (ANP)—E. Frederick Morrow will join the African-American Institute in the capacity of vice president for public affairs, effective May 1.

Morrow served for six years as administrative officer for special projects in the executive offices of President Eisenhower and accompanied Vice President Nixon on his trip to Africa.

The institute is a private organization devoted to the fostering of African-American relations.

Gordon Hegberg, hitherto director of the institute's Washington office, will become vice president for operations, also effective May 1.

The institute's activities include, among others, student aid programs under which the institute is currently aiding some 250 African students in this country, providing administrative support in Africa and the United States for the African Scholarship Program of American Universities (99 institutions), and also administering the United States scholarship program for Guinea.

Courier Publisher Gets Commerce Post

Atlanta Daily World
Atlanta, Ga.
Wed. 2-22-61

WASHINGTON, D. C. (NNAP) — Franklin H. Whittaker, 34, publisher of the Pittsburgh Courier, has been appointed assistant to the director of public information, the Commerce Department announced Tuesday.

Mr. Whittaker, who is also a lawyer, will work in the Office of Public Information in expanding Commerce Department communication with all segments of the business community.

Before becoming publisher of the Courier, Mr. Whittaker was assistant to the board chairman of the Courier.

He was born in Columbus, Ohio June 6, 1926. He attended the public schools of Columbus, Talladega College, the Management Institute, Northwestern University, Ohio State University, and Franklin University Law School in Columbus from 1950 to 1956, where he received his LL.B.

Warns Over Letting Race Affect Thinking

Chicago Defender
Chicago, Ill.
2-18-61
Page 24
Col. 6
34c(1)

WASHINGTON, (UPI) — The deputy assistant Secretary of State for Public Affairs, Carl T. Rowan, cautioned American Negroes Sunday against letting racial feelings influence their judgment in international affairs.

He said such a tendency would cut the ground from under the American Negro's basic contention that principles have nothing to do with the color of a man's skin.

Rowan, one of the nation's outstanding newsmen, was sworn into his new post a week ago. He spoke at a meeting of the Washington Urban League.

Commenting on proposals that the United Nations entrust the Congo crisis to an all African command, Rowan said:

"I feel it would be a tragedy — it would mean turning our backs on all the progress that man has made in his grueling march away from that barbaric jungle of racial fear and hatred — if the United Nations ever were pressed to the point of conceding that it can use only Africans in Africa, Asians in Asia or caucasians in 'Caucasia.'

TRAGIC CONCESSION

"This could represent only a tragic concession that we are not men whose capacity to reason lifts us high with hope, but are mere animals, moved only by distrust and that acid of hate that already has etched such ugly figures on the face of humanity."

Rowan sharply criticized restaurant and hotel owners in this country who may have refused service to African diplomats because of their color.

He said such an owner "betrays the very institutions of liberty that we now strive so desperately to sustain. I don't think I need add that those whose minds are so small that they would humiliate and discriminate against others whose flesh and blood also is of America are equally guilty of treason."

POLITICS



COMMERCIAL PALAVER—Secretary of Commerce Luther H. Hodges and Franklin H. Whittaker, assistant to the Director of Public Information, are pictured discussing programs of the Commerce Department.—U.S. Department of Commerce Photo

JFK Reaffirms His Goal Of Naming Urban Sec'y

WASHINGTON, D.C. — President Kennedy has told building and construction union members, he will propose the establishment of a cabinet-rank Department of Housing and Urban Affairs, "in view of the growing importance" of U.S. housing needs.

Presumably, the President's statement could mean that within the foreseeable future the Cabinet would contain its first Negro member as Housing Chief Bob Weaver is reputedly in line for the post.

The President's recommendation was set forth in a letter to C. J. Haggerty, president of the AFL-CIO Building and Construction Trades Department, which held a legislative conference in Washington attended by 3,200 delegates from 600 cities.

MR. KENNEDY also declared he has taken measures "to increase the flow of mortgage money, reduce FHA mortgage rates, accelerate urban renewal and public housing projects, and provide additional encouragement for other types of housing."

He has submitted to the Congress proposals for financing the Federal highway program "in a more realistic way and insuring a steady rate of construction to complete the program on schedule in 1975."

In addition, he said his special message on Housing and Community Development contains proposals to move the country closer to its goal of "decent home and a suitable living enviroment for every American family." He added:

• **"The 14 million American families now dwelling in substanard homes should be enabled to share in the standards of their neighbors. And we must begin now to prepare for the tremendous housing and community needs implicit in a 1975 population of 235 million."**

Among speakers at the building trades conference was Secretary of Labor Arthur J. Goldberg.

He called on the conference delegates to use their influence to halt racial discrimination in the building and construction field. He told them that such policies are "wrong and harmful, whether practiced by a union or by an employer."

Recorder cited for service

WASHINGTON

Of the positions held by the three persons selected this year by the National Conference of Christian and Jews for outstanding community service, none probably seems so odd as a recorder of deeds.

But then, John B. Duncan, District Recorder of Deeds, is no ordinary government administrator.

In spite of a job which might be considered hardly conducive to extensive community service, Mr. Duncan has amassed an impressive record of civic leadership and good works.

The citation with which he will be presented at a dinner to be held at the Sheraton Park Hotel Feb. 20, will read:

"...for his devotion to increased understanding and service to human needs... As lawyer, government leader, community volunteer, he has steadfastly observed the rights and needs of all. Without thought of self he has worked with many health, welfare and religious organizations in his community and nation to the betterment of all.

"He has brought closer to realization the Brotherhood of Man under the Fatherhood of God."

His brilliant record as a lawyer and government administrator makes him a likely candidate for the post of postmaster general, according to reports.

Simultaneous with his ascent to progressivley higher Governmental posts, Mr. Duncan was equally as active in a variety of diverse community and civic programs. In this connection the record chronicles a formidable array of community organizations through which he has made significant and lasting contributions.



JOHN B. DUNCAN

Among other things Mr. Duncan organized and headed the Benning Heights Civic Association for three years; served four terms as vice president and one term as president of the D.C. Federation of Civic Associations.

Mr. Duncan is married to the former Miss Edith West. They have two children. He is a member of John Wesley AME Zion Church.

Wilmington To Get First Negro Judge

WILMINGTON, Del. — The appointment of a Negro to the Wilmington Municipal Court bench is almost a certainty sometime after next Feb. 28, top ranking Democratic leaders have indicated.

Accordingly, Delaware's first Negro judge should be Atty. Sidney Clark, presently an assistant city solicitor and also recently named to the Governor's Committee for Study of Future Delaware Goals.

There has yet been no public denialst that Clark has the support of Democratic leaders in this city as a successor to Associate Judge Edmund S. Heilings, 68, whose term expires on Feb. 28.

Clark attended local schools, Howard university and its law scchool, is president of its local alumni association and a member of the Bishop Monafhan Council, Knights of Columbus.

He was a delegate from Delaware to the Democratic National Convention this year ,and has been active in the Young Democrats of Northern New Castle county.

Admitted to the state bar as the commonwealth's third Negro lawyer in 1956, Clark was named an assistant solicitor the next year, and has served since then as a prosecutor in local courts.

He is married to the former Miss Alma Anderson.



NEW JUDGE — Sworn in last Thursday as the first member of the race to attain a judical post in the state of Delaware was 32-year-old Sidney J. Clark, former Assistant City Solicitor.

FIRST IN STATE'S HISTORY

Mixed emotions greet Delaware's new judge

By RALPH MATTHEWS

WILMINGTON, Dela. — Mixed emotions greeted the appointment of 32 - year-old Sidney J. Clark, as a judge in the Municipal Court of Wilmington, who was sworn in at special ceremonies by his colleague Judge Thomas Herlihy, Thursday morning.

Among the young policemen, court hangers - on and little people from the streets and curiosity seekers who jammed the court room, 350 strong, there was pride and admiration because his elevation had broken a tradition by which he became the first colored jurist in the history of the rock-ribbed state of Delaware.

However among the members of the bar and accepted civic leaders there were murmurs of discontent. Both groups had been ignored and by-passed when the selection was made.

• • •

BECAUSE OF THE reluctance of all concerned to permit themselves to be quoted in expressing their lack of enthusiasm of the tradition - breaking appointment, it became apparent that the resentments were aimed more at the political powers - that - be who engineered the appointment rather than at the jurist himself. None the less, his youth and lack of practical legal experience seemed to be the crux of the objections.

The bar of both races were offended because they were studiously avoided and their counsel was not sought in the filling of this important post, which was especially created by the legislature completely altering historic procedure in the city.

Historically, Wilmington had always had a judge and a deputy judge, but with the impending retirement of the last deputy, the Democrats now in control of City Hall pushed through a measure abolishing the deputy judgeship and creating two full-time jurists at the same salary.

• • •

THOSE IN the know whisper that Judge Clark, who was formerly Assistant City Solicitor and a favorite of the ruling hierarchy was already tapped for the post long before the necessary legislation was enacted. This is why the whole thing was kept hush-hush and no other candidate of the bar of either race was given an outside chance to be considered.

Had not this procedure been followed, it is conceded that the racial break-through would never have materialized. It is fairly certain that certain nationality groups were in position to force the issue had there been an open battle as it is also certain that Attorney Clark would not have been able to muster much support from his own group had the outcome depended on voter pressure alone.

This fact was attributed to the allegation that during the three years he has been practicing in Wilmington, he has failed to identify himself with any of the civic struggles spearheaded by the NAACP either in the school desegregation battles or the attempts to break down prejudice in public accommodations.

• • •

THE OBVIOUS lack of enthusiasm is based on his reputation for neutralism on civil rights matters which they suspect had some influence on his being selected over those who have become associated with controversial issues.

Even his opponents, however, found cause for hope in his acceptance speech.

During the swearing - in ceremony, Judge Herlihy took due cognizance of the racial undertones inherent in the occasion when he said in closing:

"Considering the part that the colored people are playing in the life of our community, it was inevitable that someone from your race should be appointed to this court and I am glad to see that you have been given this recognition."

• • •

JUDGE CLARK'S reply to Judge Herlihy was: "I am happy that I have so many friends.

"I know that I will not be perfect but I will try to do the job to the best of my ability. I will probably make mistakes through inexperience, but with God's help and your help as the years go by, I will try to close the gap between perfection and imperfection."

• • •

IN HIS remarks, Judge Herlihy also said:

"I am sure that you, after having served as prosecutor of this court for four years, fully realize that this court plays an important role in the criminal court system of this state.

"I am also equally sure that you are aware of what this court means to the entire citizenry of this community.

"Too frequently, this court is looked upon as a police court, which it is not. Any court which has the power to impose a sentence up to 20 years certainly does not fall within that category. I mention this for the reason that both of us should be aware of the grave responsibility of administering the affairs of this court.

• • •

"BOTH OF us realize that our fundamental aim is to protect the general public but at the same time and equally important, I am sure that both of us realize the im-

portance of protecting constitutional rights of the people who come before this court.

"Many of the persons who come here do so for the first time and it is important to remember that their first impressions will be the basis of their evaluation of our court system; consequently, we should do everything possible to make sure that they feel that they have had their day in court."

• • •

THE APPOINTMENT was announced in Dover by Gov. Elbert N. Carvel. Mr. Clark succeeds Judge Edmund S. Helling who retired Feb. 28.

The appointment goes to the General Assembly for approval on March 13. The tenure is for 12 years and the salary is $8,300 a year.

Mr. Clark is a graduate of Howard University Law School and was admitted to the Delaware Bar in January, 1957. Six months later he was appointed assistant city solicitor.

A native of Wolf, W. Va., he is the son of Mr. and Mrs. Sherman Clark of that state.

Negro Seeks Florida Office

PORT TAMPA, Fla.; — "My running for public office is due to my personal observation that there is a need for the Negro to serve on the Council of Port Tampa City," said Nathaniel Cannon, one of four litigants in a suit to desegrate schools in Hillsborough County and victim of a cross burning, Jan. 29.

Cannon stated that he was called by several persons who saw a car and the burning cross in front of his home in Port Tampa and that a sign had been placed on the cross saying: "Nigger do not run for Council." Klan.

"In no way, have I been influenced by any of the officials of Port Tampa to enter the election to be held in May," he said.

"I simply wish to serve the people of Port Tampa City. Any statements to the contrary that my running for the office of Councilman because of suggestions allegedly coming from certain officials of Port Tampa are erroneous," he said.

Cannon is the father of five children and has been active in the fight to provide better facilities for Negroes in this Port Tampa City of Florida.

NAACP Field Secretary, Bobert W. Saunders, stated that the matter had been referred to FBI authorities and the National office of NAACP.

Negroes Flopped on Gov't Exams

Did State Department Give 'False Picture'?

The Pittsburgh Courier Sat. 9-16-61

p. 2 Section 2

By LYNN WILLIAMS

WASHINGTON—Those directly concerned with the matter were distressed and puzzled by the State Department report of the wholesale failure of the Negro Southern college students in the State Department-sponsored examinations.

Part of this reporter's concern, however, stemmed from the distorted, false picture the State Department projected in this instance.

Proceeding from the premise that seems implicit in the State Department report the inference suggested is that State Department requisites are beyond the grasp of college-trained Negroes.

This is far from being true, as so patently demonstrated by Negroes who have performed routine as well as distinguished foreign service assignments.

■

NOBODY KNOWS this better than State Department officials.

It would seem then that in the interest of clarification and good public relations, the State Department would have used this opportunity to project the true picture; both sides of the coin.

As a case in point, many of us have followed the career of Rupert Lloyd of our town, and were pleased mightily when he was lauded in the press for the excellent job he did as an interpreter when President Kennedy and company were in Paris early this year.

Also well known here in D. C. are Bill and John George, local brothers each of whom has served long and well in foreign service posts.

Perhaps the most distinguished career of current vintage is that of Lemuel E. Graves Jr., who has been serving since last year as public affairs officer at the American Embassy in Montevideo, Uruguay. A Tallahassee, Fla. native, Lem Graves left his post as The Courier's Washington correspondent in 1949 to take a State Department assignment in Paris, as a labor information specialist with ECA.

■

LAST MONTH when the Inter-American Conference of Finance Ministers held their epochal meeting at Punta Del Este, Uraguay, Treasury Department Secretary Douglas Dillon and his team of 40 negotiators were hailed in the world press for achieving a new "Alliance for Progress" for Latin American countries.

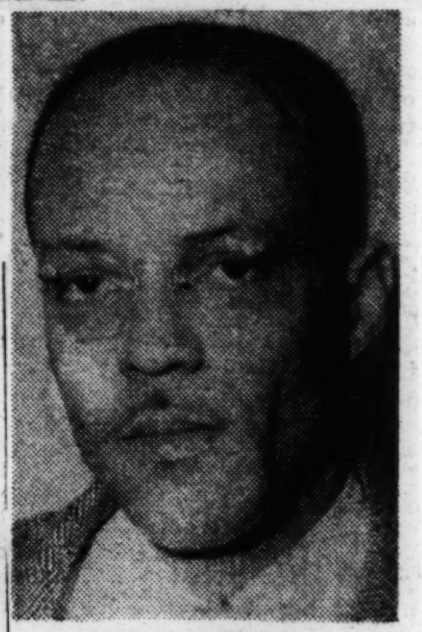
Dramatic stories flowing from the conference had top priority in all communication media.

Curious to learn precisely what Lem Graves' function was in connection with the conference, I called to inquire at the State Department's "Latin America Desk." A couple of days later I was answered in a letter from Fred W. Dickens, assistant director for Latin America.

■

SAID MR. DICKENS: "Mr. Graves was responsible for the physical arrangements at Punta del Estes whereby the American press and information media were given facilitative assistance in gaining background knowledge, the American delegation's postion and a daily summary of United States domestic news.

He was also in charge of arrangements whereby USIA was enabled to receive direct "feeds" for the Voice of America broadcasts for its English, Spanish and Portuguese language transmissions, and also for sending interpretative stories for the agency's wireless file, motion pictures and television services. I understand Mr. Graves did an outstanding job at the conference."



LEM GRAVES
. . . labor specialist

A product of Raleigh, N.C. public schools and St. Augustine's College, Raleigh (majors in chemistry and math), Mr. Graves started in newspaper work as a cub reporter for the Norfolk Journal and Guide.

Subsequently he served as assistant city editor, assistant to the managing editor, news editor and sports editor. During World War II he did a two-year stint as an overseas correspondent. Lem joined The Courier staff in 1947.

■

AFTER EIGHT years in Europe, Lem came back for a tour of duty with USIA here in D.C. From 1958 to 1960 he served as chief of the Latin American branch, International Press Service.

He was promoted to his current post last year. Mrs. Graves is the former Miss Theora Weaver. They have one child: a daughter.

The point of all this is that those with no knowledge of career men such as Lem Graves might easily draw the wrong conclusions from the State Department report on the students flunking the exams.

I am equally as certain that a thorough look into the matter would bring to light many other Negroes carrying on State Department assignments that are not known to the general public.

This, I believe, is the other side of the coin; the kind of information that would have given another dimension and balance to the picture projected in the State Department report.

U. S. Courts Only 4 Judges From Jimcrow

National Bar Association Looks To President Kennedy To End Famine Of Colored Jurists In Federal Courts

The Afro-American

By SAMUEL HOSKINS,
WASHINGTON

Is the Federal judiciary, legal referee for school desegregation, to all practical purposes a jimcrow set-up?

If so, can Federal courts, from the Appeals level down through the District courts, effectively discharge their responsibilities regarding application of the U.S. Supreme Court's school desegregation rulings?

Excluding the Supreme Court, the Federal judiciary has 337 judges. Only four are colored, none in jurisdictions where desegregation cases are likely to occur.

* * *

THE FOUR colored jurists are Judges Irvin C. Mollison and Scovel Richardson, U.S. Customs Court, New York City; Judge William H. Hastie, Third Circuit, U.S. Court of Appeals, Philadelphia, and Judge Walter A. Gordon, U.S. District Court, Virgin Islands.

Judges Mollison and Hastie were appointed by President Harry S. Truman. President Eisenhower appointed Judges Richardson and Gordon.

Prior to his appointment to the Appeals Court bench, Judge Hastre served as U.S. District Judge in the Virgin Islands. He was appointed in 1937 by President Roosevelt, marking the first time a colored person was named to a Federal judgeship.

The second such appointment was that of Judge Herman E. Moore, who in 1939 succeeded Judge Hastie in the Virgin Island post.

Following his retirement in 1950, Judge Moore was succeeded by Judge Gordon.

* * *

THUS IN the 24 years since 1937, five colored persons have served in six Federal judgeships, three of which have been ouside the continental United States.

The significance of this is shown by the fact that there are four territorial judgeships, one of which was established after World War II.

These are District judgeships in Puerto Rico, the Canal Zone, Virgin Islands and Guam.

* * *

OTHERWISE, the Federal judiciary is composed of the following court and judges:

U.S. Court of Claims, 5; U.S. Court of Customs and Patent Appeals, 5; U.S. Customs Court, 9; Emergency Court of Appeals, 3;

U.S. Circuit Court of Appeals (10 circuits and the District of Columbia) 65; U.S. District Court (91 Districts), 250.

The total is 337 judges.

Currently there are 11 vacancies in District Courts, three of which have been filled by recess appointments by outgoing President Eisenhower.

* * *

PRESIDENT KENNEDY will fill the reamining 11 vacancies.

The vacancies are in the following courts:

Circuit Court: 1 in the 7th; 2 in the 8th circuit.

District Court — Southern California District, 1; District of Columbia, 1; southern Florida District, 1. Northern Illinois District, 1; Oklahoma east, 1; Oklahoma north, 1; Texas south, 1; and Virginia, west, 1.

* * *

A BILL is now before the Congress which, if enacted, would provide for 63 new judges in Federal courts in the U.S. and Puerto Rico.

Such an increase, according to the author of the bill, Rep. Emanuel Cellar (D., N.Y.), who is chairman of the House Judiciary Committee, has the approval of the Judicial Conference, an organization composed of senior Federal judges.

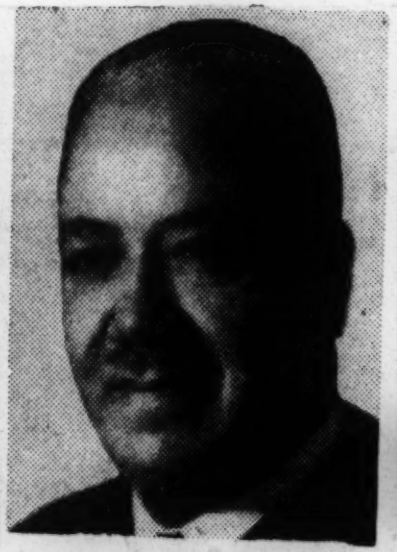
If approved, the new judges would be distributed as follows:



JUDGE HASTIE



JUDGE GORDON



JUDGE MOLLINSON



JUDGE RICHARDSON

Court of Appeals, 11 (10 permanent and one temporary); District Court, 52, with four to be temporary and eventually three of the latter to become permanent.

* * *

THIS SERIOUS shortage of colored representation among Federal judges was one of the main issues discussed last August at the annual convention of the National Bar Association.

So concerned are NBA members about this matter that the organization adopted a resolution calling upon the President to appoint qualified colored lawyers when vacancies occur.

A delegation headed by Elmer C. Jackson Jr., NBA president of Kansas City, Kan., and William Thompson of Washington met with President John F. Kennedy, then Democratic candidate for the Presidency, to discuss the subject.

* * *

THE NBA delegation took the position that there are numerous colored lawyers qualified to serve as Federal judges and there is no justification for not appointing them.

The question now is will President Kennedy correct this historic error?

The National Bar Association is optimistic.

Mrs. Davis still top paid woman

The Afro-American
Baltimore, Md.

WASHINGTON (ANP) — Payroll records of members of the House for the month of January show that Christine Ray Davis, staff director and chief clerk of the House Government Operations Committee of which Rep. William L. Dawson of Chicago is chairman, is still the highest paid colored woman in government.

Her pay for January was $1,100.70.

The pay of Louise Maxienne Dargans, chief clerk of the House Education and Labor Committee, of which Adam Clayton Powell of New York is chairman, was $985.33 and that of Livingstone Wingate, associate general counsel of the committee was $623.37.

THE PAYROLL for Dawson lists Ailen M. Hunt, $726.79; Norma C. Williams, $440.63; Barbara Morgan, $324.54; Helen E. Hill, $327.25; Helen Harvey, $310.88; Dorothy Layton, $322.61 and Gloria Jackson, $303.39.

The wife of Rep. Charles C. Diggs, Michigan Democrat, is carried on his payroll. Her January pay was $349.44. Others on the Diggs payroll were Dorothy Elain Quarker, $765.09; Gladys Jonnson, $495.56; Eileen I. Ownby, $336.91; Chin - Ping Chang, $262; Louis Dean Jr., $99, and James A. Johnson Jr., $66.26.

THE PAYROLL of Rep. Robert N. C. Nix, Philadelphia Democrat, lists Mae C. Ryan, $738.18; William J. McIntyre, $614.71; Cyrill O. Sledd, $279.35; Charles E. White, $301.33; Olympia Lane, $209.76; Ruth Marmon, $203.68; Ione Barkley, $177.15, and Norman A. Jenkins, $150.73.

Powell's payroll for January lists his wife, Y. Marjorie Flores, $837.20; Howard T. Dodson, $480.98; Beatrice Lennon, $491.61; Mary L. Shuler, $193.85; Lillian W. Upshur, $61.75.

JFK Names 22 Negroes to Key Posts

Low Block Dispatch
Oklahoma City, Okla.
Fri 4-21-61 P/

22 Negroes to key positions in the government during his first 80 days as President, the Democratic National committee announced this week.

Speaking for the committee, Louis E. Martin of Chicago, deputy chairman, said the appointments were notable not only because of their number, but also because 10 of them were never before held by non-whites.

More Appointments Made

Since the end of the 80-day period which came on April 12, several other appointments of Negroes have been announced.

Martin cited the following persons named thus far to posts never held by Negroes before:

Dr. Robert C. Weaver, New York City, administrator of the Federal Housing and Home Finance Agency.

34c(1)

Clifton R. Wharton, San Francisco, ambassador to Norway.

Christopher C. Scott, Los Angeles, deputy postmaster general for transportation.

Mrs. Dolly Lowthar Robinson, New York City, assistant to the director of Women's Bureau, Department of Labor.

Carl Rowan, Minneapolis, deputy assistant secretary of state for Public Affairs.

Andrew Hatcher, San Francisco, associate White House press secretary.

Frank Whitaker, Pittsburgh, special assistant to the Secretary of Commerce.

Hobart Taylor, Detroit, special counsel for the President's Committee on Equal Employment Opportunity.

Eddie M. Williams, Memphis, protocol officer in office of Chief of Protocol in the State Department.

Frank Williams, San Francisco, special assistant to the Director of the Peace Corps.

Other major appointments made by President Kennedy include:

Frank D. Reeves, Washington, special assistant to the President.

George L. P. Weaver, Washington, D. C., assistant Secretary of Labor.

Kermit Bauer, Detroit, legal chief of Housing Section of the Civil Rights Commission.

Arthur Chapin, New Jersey, minority group consultant in the Department of Labor.

On the White House staff is Virginia Battle of Boston who served as secretary to the President when he was a senator.

Low Block Dispatch
Oklahoma City, Okla.
Sat 4-21-61

Name Wheeler and Woods

Last week the President named John Wheeler of Durham, N. C., president of the Mechanics and Farmers bank, and Howard Woods of St. Louis, executive editor of the St. Louis Argus, to the new President's Committee on Equal Employment Opportunity.

The Rev. James Robinson of New York; Dr. Benjamin Mays, Atlanta; Harry Belafonte, New York City; and Dr. Albert Dent, president of Dillard university, New Orleans, have been appointed to the national advisory board of the Peace Corps, of which Sargent Shriver, former president of the Chicago Board of Education, is the director.

34c(1)

Martin said that announcements of other important appointments in various departments of government are pending.

It is clear, Martin stated, that his Administration fully intends there will be true equality of employment opportunity in the Federal service.

Capital Comment by Lynn Williams

The Courier B18
Sat. 9-2-61

Contrast to Ike Situation

50 Negro JFK Appointees

Pittsburgh Pa

WASHINGTON—The Kennedy Administration has placed so many Negroes in unprecedented top-level posts since January that the week-end report on Dr. Robert C. Weaver's possibly moving into a full-fledged cabinet post is being taken in stride in the nation's capital.

The new Federal department currently taking shape and being firmed up will combine an administer housing and related urban programs.

It is generally conceded in administration circles that Housing and Home Finance Agency boss Robert Weaver will be named to head the new program.

Dr. Weaver will thus become the first Negro in history to attain cabinet status!

■

NO MATTER what your politics, there must be agreement that the 50 or more important appointments of Negroes over the past seven months is in sharp contrast to the situation that prevailed last year at this time, under the Eisenhower Administration.

● From the point of view of reporters it was comparatively simple to maintain contacts with the handful of Negroes that held high echelon jobs under Eisenhower.

Topped by Fred Morrow at the White House, the principal key persons were Jim Evans at the Pentagon; Joe Clarke, at the Post Office; Robert Church Terrell, Labor Department; Joe Douglass, HEW; George Snowden, Housing; Val Washington, at Republican Committee headquarters, and possibly three or four others whose names don't come readily to mind.

■

IN THE OLD days that situation was even more simplified by the "Minority Groups Consultant" tag hung onto most tan government officials.

Not so anymore. Not only is it difficult to keep tabs on tan top office-holders because of sheer numbers, but broadening of duties assigned tan "New Frontiersmen" frustrates efforts to readily identify them by the old method.

For instance, none but the initiated would possibly tie a racial tag to the Treasury Department listing of Dr. Samuel Z. Westerfield, associate director of Debt Analysis; or George Holland, manager, Veterans Administration Benefits Office; or Dr. Mabel Murphy Smythe, State Department Advisory Commission on Educational Exchange; or Carl T. Rowan, Deputy Assistant Secretary of State for Public Affairs.

■

THIS "NEW FRONTIERS" principle is implemented also in the District of Columbia government appointments. Newly appointed Commissioner John B. Duncan jointly shares responsibility for administering all Distrcit of Columbia programs with his two fellow commissioners.

Atty. Joseph Waddy, Commissioners' Advisory Council chairman, is concerned with every aspect of city life; Walter E. Washington, Public Housing Administrator, is another case in point, as is Atty. Charles T. Duncan, Appellate Division Chief, U. S. Attorney's office.

One of the amusing byproducts of the impact of the New Frontiers appointments is that it has played hob with local status-seeking hostesses in their efforts to subscribe to established protocol. Time was when local social arbiters started with Fred and Kathryn Morrow; other guests simply fell into graduated slots according to established precedence.

■

CURRENTLY, THEY are bedeviled by uncertainly, for instance trying to figure whether Bob Weaver, HHFA adminstrator, rates over George L. P. Weaver, recently appointed Assistant Secretary of Labor; and/or where do Congressman Dawson, Diggs, Nix and Powell fit in.

One story that made the rounds earlier this year told of a protocol-conscious "Gold Coast" hostess who decided that Andrew Hatcher, Associate White House Press Secretary, should be seated as the No. 1 guest at her dinner party to which had been invited Congressman Diggs, Dr. Weaver and several other administration figures.

A discerning friend sought to remind her that notwithstanding Mr. Hatcher's place of employment, his was a technical staff job and thereby of a different classification from some of the other guests.

Said the hostess: "According to protocol I may be wrong, but Mr. Hatcher is the only one here who talks to President Kennedy every day; and that satisfies me in this protocal business."

POLITICS

The Afro American Baltimore MD Sat. 1-14-61

2 get judgeship, 1 due in Delaware

WILMINGTON, Del. — Sidney Clark, who presently is serving as assistant city solicitor, is due to be appointed to a Municipal judgeship, according to information from a usually reliable source.

The appointment is due to be made shortly after Feb. 28, it is reported. He would succeed Judge Edmund S. Heilings, 83, whose term expires in February.

In Camden, N.J., Edward A. Reid, an attorney, was sworn as Juvenile and Domestic Relations Court Judge on Jan. 4.

WILLIAM B. RAMSEY, a Howard University Law School graduate, last week was named special assistant to the corporation counsel in New Haven, Conn.

He has been on the counsel's staff since March, 1959.

James B. Parsons of Chicago, Ill., who was elected to the Superior Court Nov. 8, was sworn last week.

Parson, a Democrat, is the second colored judge in Chicago. The other is Judge Fred Salter, former University of Iowa All-American football star.

In Bosoon, Mass., Harry J. Elam, 38, or Rosbury, was appointed executive secretary to the Governor's Council.

He is a graduate of Boston University Law School.

David Mitchell was inaugurated Jan. 2 as a member of the city council of Gary, Ind. He was elected last Nov. 8.



HARRY J. ELAM

Five Factors To Consider When Negro Candidates Seek Public Office

Bl-Nam World Bluefield, W.Va. Wed. 3-1-61 Pg 1

For a considerable period this writer has been a strong advocate of greater Negro political activity. Frank I believe we should run for every office where our success potential is even fair.

However, several factors constitute a fair chance of winning. First, we should have well qualified candidated, persons not only of superior qualifications, but broad popularity.

Second, the candidate we choose should not only be willing to run, but able to run financially. Nothing is worse that a reluctant candidate or one too poor to put some of his own money into the campaign.

Third, we need candidates who are independent thinkers men of courage and conviction who can express, their convictions convincingly. Likewise, we need men who regardless of occupation, will be their own boss in public office.

Fourth, we need candidates who have the confidence of the people, men who by words and deeds have proven themselves worhty of election to high office.

Finally, I would desire candidates who seek the given office note solely for personal gain or power, but to serve the public interests.

Time was when Negroes felt duty bound to support every Negro who chose to run for office. This day not only has passed but is now almost impossible.

Very likely in the future as has been true of the past two Negroes may oppose each other. Here one has to disregard race and choose the betetr man.

The time has come for us to scrutinize Negro candidates more exactingly than white. The reasons are obvious. He has to be the exception rather that the general run.

For Negroes he must be the epitome of the kind of forthright, capable candidate that they want and trust. No longer can he be the "Uucle Tome" or passive selectee of white politicians. For whites in this community, he must have the power to draw Negro votes to the ticket he mush be respected by both white and Negro as a qualified and acceptable person.

I am advised that we have more local Negro aspirants to public office than ever. Certain dissatisfaction with the controlling party has prompted several to offer themselves. This is healthy and should be encouraged. However it is to be hoped that none will run just for the sake of running, but all will be carefully evaluated as to their fitness, potentiality and timing.

While no one can tell an aspirant whether he should or should not run for perhaps the successful ex-



By FRANK L. STANLEY

perience of the only Negro to be elected to the Louisville Board of Education may be a criterion for others.

First, the need for a Negro on the Board was well established by certain conditions and practices. Second the Negro citizenry, after at least six other tries, over a thirty-year span, at last became organized in this objective.

Third, Woodford Porter was selected, not handpicked, by a board committeee of public-spirited citizens who gave serious consideration to several candidates.

Fourth, Mr. Porter was a good and effective candidate who inerally, Democratic and Republicrally, Democratic and Reupublican, alike.

While he was by no means the perfect candidate, we would like to see others evolve as he did as the best possible choice for a given office.



NEW APPOINTEES IN U. S. TREASURY DEPARTMENT.—New appointees in U. S. Treasury department meet with Robert A. Wallace, special assistant to Treasury Secretary Douglas Dillon. From the left, Charles A. Dorsey, fiscal economist in the Office of Debt Analysis, Robert C. Vowels, fiscal economist in the Office of Tax Analysis; Mr. Wallace, and Jesse Johnson, management analyst in the Office of the Administrative Assistant Secretary.

Kennedy Names Negroes To Key Government Jobs

WASHINGTON. — (ANP) — John F. Kennedy has named 22 Negroes to key positions in the government during his first 80 days as President, the Democratic National committee announced this week.

Speaking for the committee, Louis E. Martin of Chicago, deputy chairman, said the appointments were notable not only because of their number, but also because 10 of them were never held before by non-whites.

More Appointments Made

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Martin cited the following persons named thus far to posts never held by Negroes before:

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Carl Rowan, Minneapolis, deputy assistant secretary of state for public Affairs.

Names Others

Andrew Hatcher, San Francisco, associate White House press secretary.

Frank Whitaker, Pittsburgh, special assistant to the Secretary of Commerce.

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Wheeler, Woods Named

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34c(1) 1961

GENERAL

O'Hara Lists U. S. Errors in Africa

Williams Favors 'Qualified' Negroes in State Department

WASHINGTON—G. Mennen Williams, America's new Assistant Secretary of State for African Affairs, has placed himself on record as favoring the use of "qualified" Negroes in the State Department and other government services.

● He also declared that he would not necessarily appoint Negroes to diplomatic posts in Africa only because that would be a "reverse slant that would be totally unconvincing to the Africans."

The former governor of Michigan indicated that considering the strength of Islam on the African continent that it might be wise to appoint a Moslem to the State Department's Bureau of African Affairs.

■

WITH RESPECT to the new administration's policies toward Africa the Governor declined to comment, asserting, "only one person can speak authoritively on that—and my thinking is going to be the same as his thinking."

The questions directed to Governor Williams came before newsmen had asked Rep. Barratt O'Hara about his opinion of events in Africa gleaned from his recent three-week tour of that continent.

● Representative O'Hara declared that for the United States to meet the Soviet challenge, it will have to make it more clear than ever in the past that we have no sympathy for South Africa. We must stand for independence. We must stand for Algeria."

Representative O'Hara listed the following mistakes made by the United States and its Western allies in Africa:

● 1. Western policies which ignored the strong African belief in the legitimacy of Patrice Lumumba's premiership of the Congo.

..2. American failure to come to the economic assistance of Guinea.

..3. John Foster Dulles' "great mistake" in withdrawing support for the Aswan Daw project and American reluctance to back the Volta River project in Ghana.

● 4. American abstentions on UN votes on colonialism and Algeria.

5. France's withdrawal of "everything from typewriters to cuspidors" from Guinea when that nation chose freedom.

The Soviet Union, O'Hara disclosed has already offered to finance the $360,000,000 Volta River.



G. M. WILLIAMS

. . . against the "reverse slant"

Negroes To Get Federal Posts

Campaign On To Recruit Minority Group Members For U.S. Jobs

WASHINGTON, March 13. — The Government's chief hiring office launched a campaign Monday to recruit Negroes and members of other minority groups for Federal jobs in a major move to carry out President Kennedy's anti-discrimination orders.

The Civil Service Commission named Ross Clinchy, executive director of former President Dwight D. Eisenhower's Committee on Government Employment Policy, to head the drive.

Clinchy, a veteran of numerous brotherhood movements, will tour college campuses during the next few months to seek qualified Negroes and other minority group members for Government careers.

Goldberg Recruiting

Labor Secretary Arthur J. Goldberg already has announced that he will dispatch a representative to campuses to recuit Negroes for jobs in the Labor Department.

President Kennedy ordered Government agencies last week to eliminate any racial bias in hiring workers. He also set up machinery to assure equal job opportunities for Negroes and whites in companies handling Government contracts.

Kennedy combined Eisenhower's committees that scruitinized discrimination in Government and private employment into a new Committee on Equa Employment Opportunity.

The Civil Service Commission said Clinchy's appointment was its first major move in carrying out Kennedy's anti-discrimination orders.

Will Report Bias

As special assistant to the executive director for minority group matters in the Civil Service Commission, he will report any bias in Federal hiring.

He also will coordinate the commission's efforts to attract members of minority groups into Government service and will seek to improve their advancement opportunities.

Clincy, a native of New Jersey, was executive director of Eisenhower's Government Employment Policy Committee for five years.

Before that he was active in the promotion of better understanding between religious groups in Texsas and Maryland.

The 41-year-old official was executive director of the National Conference of Christians and Jews in Fort Worth, Texas, from 1949 to 1951.

POLITICS

Political Roundup

Meeting Recalls Meany's Blast Against Powell

(Courier Press Service)

WASHINGTON — Observers here have recalled AFL-CIO President George Meany's blast against Congressman Adam Clayton Powell in the wake of a "boycott" directed against a "get-acquainted" meeting held by the chairman of the House Labor and Education Committee.

Mr. Meany ordered legislative representatives of the AFL-CIO to stay away from the meeting after Mr. Powell invited Sidney Zagri, legislative counsel for the Teamsters Union to attend.

The meeting had been called by Mr. Powell for the purposes of getting acquainted with lobbyists of the respective unions.

Despite Mr. Meany's request, representatives of eleven labor unions attended the session along with Mr. Zagri who took a front seat.

■

WASHINGTON — President Kennedy ordered the U. S. Senate to stop fooling around with the approval of Dr. Robert C. Weaver as the head of Federal Housing.

The result? Dr. Weaver was placed in office via "voice vote," following the 11-4 approval of his appointment by the Senate banking committee.

■

INDIANAPOLIS — With the resignation of Councilwoman Mary M. Spoerle the Advisory

Council of the Federation of Associated clubs is insisting that a Negro be given the spot. There are an estimated 100,000 Negroes in Indianapolis. The City Council is all-white.

■

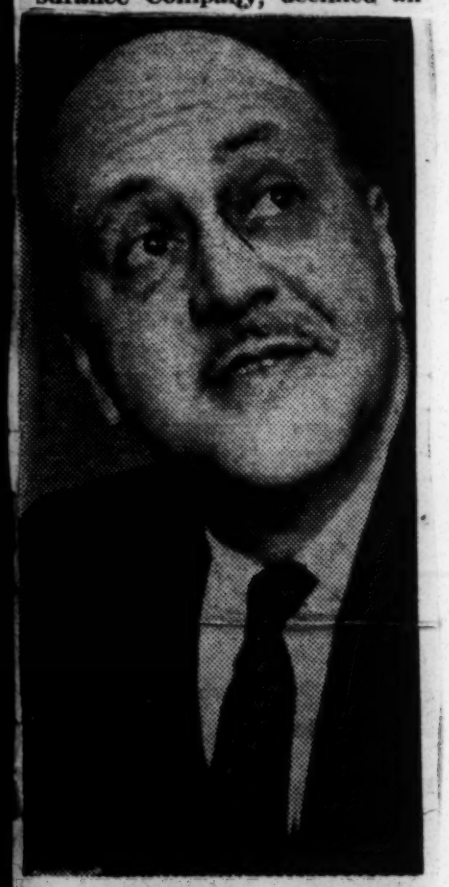
NEW ORLEANS — Earl J. Amedee, former assistant district attorney in Orleans Parish has announced that he will run for councilman-at-large in the April 18 Democratic Primary. Attorney Amedee is seeking the support of both Negro and white political groups.

■

WASHINGTON — Atty. **Frank D. Reeves, named as White House Aide by President Kennedy, is expected to resign his post in July to become the first Negro member of the Board of District Commissioners.**

■

CHICAGO — Theodore A. Jones, vice president and controller of the Supreme Life Insurance Company, declined an



DR. ROBERT C. WEAVER
. . . the ayes had it

appointment as Director of the Department of Public Works and Buildings for the State of Illinois. Behind the move, insiders say, is a split among Southside politicos over who should get the job.

■

WASHINGTON — Rep. Adam Clayton Powell has announced that he will support Congressman James Roosevelt's move to cut the 1961 budget of the House Un-American Activities Committee. Said Powell: "You can count on my fullest cooperation in throttling the authority of that committee which has long since outlived its usefulness."

■

WASHINGTON — Negro appointees to the Kennedy regime have taken sizeable cuts in income. Carl Rowan's income has dipped from $35,000 to $15,000; and Robert C. Weaver gave up a $22,500 job in New York to accept his $21,000 per year post.

TAN WOMEN

Total appointments to date equal zero!

The Afro-American

By CHUCK STONE

WASHINGTON

Not a single colored woman has been appointed to any significant post in the Kennedy Administration to date.

In a survey completed by the Washington AFRO, it was revealed that ten women have received appointments from President Kennedy varying in importance from White House physician to ambassador to Ceylon, but no colored women have been among them.

The ten women and their respective appointments include the following:

Mrs. Marietta P. Tree, U. S. Representative to the Commission on Human Rights of the United Nations Economic and Social Council;

Mrs. Gladys Avery Tillett, U. S. Representative to the Commission on the Status of Women of the United Nations Economic and Social Council;

Dr. Janet Travel, White House physician;

Miss Frances E. Willis, United States ambassador to Ceylon;

Mrs. Eleanor Roosevelt, U. S. Delegate to the United Nations;

Mrs. Katie Louchheim, Special Assistant to the Undersecretary of State;

Mrs. Esther Peterson, Assistant to the Secretary of Labor for Women's Affairs;

Mrs. Elizabeth Smith, Treasurer of the United States;

Mrs. Reva Beck Bosone, judicial officer in the Post Office Department;

Mrs. James G. Aiken, Assistant Congressional Liaison Officer of the Department of Health, Education, and Welfare.

The AFRO contacted three of the colored congressmen and learned that each of them had submitted the names of colored women to President Kennedy for consideration.

A spokesman for Rep. Charles Diggs (D., Mich.) declared that the congressman had submitted one name of a colored woman for an appointment, but it had been filled by a colored man.

"The congressman plans to submit more names," the spokesman continued, "with the expectation of favorable consideration by the Kennedy administration.

Mrs. Christine Davis, aide to Rep Dawson and one of the most skilled political workers on Capitol Hill served without pay as assistant to the Director of Women's Activities, Mrs. Margaret Price; and also as chairman of the highly successful "Strategy for Victory Luncheon" honoring Mrs. John F. Kennedy.

Atty. Marjorie McKenzie Lawson, one of the earliest supporters in the country of President Kennedy's nomination, was a key adviser during the campaign on strategy in civil rights and travelled extensively on the campaign trail with Mr. Kennedy.

Mrs. Thomasina Norford, women's editor of the New York Amsterdam News, also served as vice-chairman of the Citizens for New York City for Kennedy.

* * *

OTHER WOMEN who played prominent roles in the Kennedy campaign include: Mrs. Alice Dunnigan who worked in Vice President Lyndon Johnson's office;

Dr. Rosa Gragg, president of the National Association of Colored Women's Clubs who personally endorsed the Democratic ticket.

Miss Lena Horne, Mrs. Frances Williams, Dr. Jeanne Noble, president of Delta Sigma Theta; Dr. Deborah Partridge Wolfe, president of Zeta Phi Beta; Miss Dorothy Height, president National Council of Negro Women.

Vivian Carter Mason of Norfolk, Va., Ethel Payne of the AFL - CIO, Lillian Hatcher of Detroit, Atty Jean Capers of Cleveland.

Also, Atty. Edith Sampson and Mrs. Anna Arnold Hedgeman.

All of the above women either actively campaigned for President Kennedy, allowed their names to be used for endorsements, served on committees on his behalf, or worked vigorously as non-paid staff members.

* * *

THE AFRO contacted Mrs. Christine Davis on the matter. She stated: "I have not sought a position with the administration, nor have I been offered one."

One of Mrs. Davis' associates told this reporter that a key Kennedy administration official had declared that Mrs. Davis would probably not be interested in an appointment because "she already has a job."

"Isn't that a helluva excuse not to appoint a colored woman?" the associate asked. "Every single person Kennedy appointee had a good job. That's why he appointed them."

One woman, however, appears to have broken the sound barrier of resistance to colored women and that's Atty. Marjorie Lawson.

"I was offered a municipal court judgeship, but have not accepted," was the only comment Mrs. Lawson would make.

Several close associates of Mrs. Lawson's were quite disturbed about the pointed snub by the Kennedy administration and talked freely to the AFRO.

"I don't blame Marjorie for turning it down," declared one. "She was one of the first to get behind Kennedy — almost 4 years ago. She supported him when nobody else did. Kennedy rewarded Ribicoff and Bailey for their early support, so why not Marjorie?"

Another associate put it more simply: "She did a man's job and she should get a man's reward."

As the latest polls show, the Kennedy administration is enjoying a high degree of popularity among the voters and the "honeymoon stage" is still operative.

But a survey of the majority of colored women who played key roles in the President's campaign reflects an undercurrent of sharp dissatisfaction with his progress to date.

Mays Praises 'Racial' Leadership Of Kennedy

B'ham World
B'ham, Ala.
Wed, 3-22-61
P3

CLEVELAND, Ohio (UPI)—A leading Negro educator Thursday praised President Kennedy for his leadership in racial relations matters.

Dr. Benjamin E. Mays, president of Morehouse College in Atlanta and president of the United Negro College Fund, said if Eisenhower had acted similarly to the present administration "much of the friction we have had would not have occurred."

He said the opening of new job opportunities for Negroes in the South has been "all too slow," but predicted the Kennedy administration's order for racial equality in governmental hiring would be a spurring influence.

"We would wish that the South would act from more humanitarian motives," he said, "but if coercion will force a change, Negroes will settle for that and take their chances on proving their worth."

Mays, speaking here at a lenten series in Old Stone Church, said the admittance of two Negroes to the University of Georgia has tended to break the logjam of die-hard resistance to integrated schooling.

"With segregationist Georgia headed in the right direction, what can South Carolina do, what can Mississippi do, what can Alabama do now?" asked the South Carolina native.

"They don't have a leg to stand on. They could pass off integration in Virginia and Arkansas as something that happened in the border South, but they can't pass off what is happening in Deep South Georgia," he stated.

"Some of the sober, sane white people in Atlanta and Georgia have been working a long time to see that we wouldn't have another Little Rock or New Orleans on our hands," he said of the coming integration this fall of Atlanta schools.

He especially credited Ralph McGill, edtor of the Atlanta Constitution, for that.

Leaders Here Support U.S. 'Post' For Mays

Atlanta Daily World
Atlanta, Ga.
Wed, 3-1-61

by George M. Coleman and Stanley S. Scott

Dr. Benjamin E. Mays, president of Morehouse College, is being considered by President Kennedy as a member of the U.S. Commission on Civil Rights, and Southerners are apparently moving quickly to attempt to block such a move, it was learned here Tuesday.

But Negro leaders and organizations in Atlanta were as swift in their praise of the college president, who has worked tirelessly for advancement of his race, with many declaring he is one of the best qualified men in the United States for virtually any federal appointment.

LEADERS HAIL MAYS

Within hours after Dr. Mays' name had been "thrown into the ring" as a likely candidate for the commission, many outstanding educators and civic leaders, who having known him through the years, came to the fore to completely exonerate him of any wrong doing, and labeled him as one of the South's ablest Americans.

Rev. L. M. Terrill, president of the State Baptist Convention of Georgia, stated, "A better qualified man could not be found than Dr. Mays, president of Morehouse College, an outstanding educator and American citizen. He is beyond a shadow of a doubt a true, genuine, loyal American citizen, and if so lected to serve, would do cerdit to himself and his country. I have known him for 30 or 35 years and his loyyalty to his country has never been questioned."

Rumor has had it for several weeks that Kennedy might name Dr. Mays Ambassador to Israel, but wire reports from the White House Tuesday said he was being considered for the civil rights post.

Dr. Mays, like Dr. Robert Weaver, the new housing administrator, has a wide background of civil rights struggles, and Southerners were apparently attempting to tie the same pro-communist label to Mays as they unsuccessfully hitched to Weaver.

Both Senator Herman Talmadge and Senator Richard B. Russell have filed objections to the probable appointment. Talmadge said Mays "has been identified or associated with at least four different communist front organizations according to the records of the House Un-American Activities Committee."

A similar attempt was made



DR. B. E. MAYS

against Dr. Rufus E. Clement, president of Atlanta University several years ago when he successfully ran for a seat on the Atlanta Board of Education.

C. R. Yates, of the Yates and Milton drug store chain in Atlanta, sent a telegram to Talmadge saying, "Press report charges against Dr. Benjamin Mays untrue, and opposition to him on grounds of communism or subversive affiliation would do grave damage and seriously affect harmonious relations. We consider him as one of our most loyal, respected citizens and approval for the Civil Rights Commission would be a great inspiration."

Rev. C. S. Hamilton, Augusta, Ga., vice-president of the State Baptist Convention of Georgia, stated in a telephone conversation, "I think it would be a very definite credit. I feel that he would do an outstanding job. I have known Dr. Mays for the past 18 years and read about his work before attending college at Morehouse."

In making reference to Talmadge and Russell, Rev. Hamilton said, "Anytime a man in the south speaks out for civil rights or human rights he is branded as an agitator." Rev. Hamilton further stated, "I don't think anyone could do a better job including Talmadge and Russell."

DR. RUFUS CLEMENT

Dr. Rufus E. Clement, president of Atlanta University, member of the Board of Education, had this comment to make, "I think Dr. Mays is an outstanding and loyal American. There is really no good reason at all why he shouldn't make an excellent member of the commission. I have complete confidence in his loyalty and Americanism."

Rev. C. S. Stinson, pastor of the Warren Memorial Methodist Church, "It is regrettable that objections to Dr. Mays are of such a fashion. Dr. Mays is one of our great leaders, educators, a Christian minister, and lover of mankind."

Warren H. Cochrane, secretary of the Atlanta Negro Voters Leeague and Executive Secretary of the YMCA, gave the following statement as his immediate reaction to Dr. Mays possible appointment: "Dr. Mays is one of the most distinguished men in Georgia. I think any group would be honored by having him as a member. He is a christian leader and I think he would grace the commission and add to it." Cochrane added, "He has been an aggressive leader for civil rights through the years."

"The controversy began when President John F. Kennedy announced that he would like to see the religious leader on the commission. Senators Russell and Talmadge quickly denounced approval of the Kennedy idea, stating that Mays has been associated with communist front groups, and that his thinking as a member of the rights body would be prejudiced if he were appointed.

BISHOP WILKES SUPPORTS HIM

Bishop William R. Wilkes, prelate of the Sixth Episcopal District of the AME Church, gave a strong endorsement of Dr. Mays.

"There is no man better qualified in this country for the job that needs to be done," the bishop declared.

He added that this was true whether "in Israel, or any other country."

The prelate lauded the academic and leadership qualifications of the college president, and added, "I believe he is the man for the job. I would support him completely."

The Rev. Homer C. McEwen, pastor of First Congregational Church, declared that "The expected, but lamentable demurrers which Senators Russell and Talmadge have voiced concerning the appointment of Dr. Mays to the U. C. Commission on Civil Rights clearly points up the inability of many white Southerners to think objectively about any Negro who does not meet the intransigent prejudices of the South with craven acquiescence. It is hoped that such questionable opposition to the appointment of an outstanding citizen to the commission will be ignored."

Impugning of Dr. Mays Is a Wrongful Tactic

The Atlanta Constitution
Atlanta, Ga.

The proposed appointment of Dr. Benjamin F. Mays to the Civil Rights Commission ought to be judged on its merits and not on smears of the man.

The president of Morehouse College has been on public view in Atlanta for 30 years. His loyalty and his integrity are known by this community.

What he believes in the field of civil rights is known beyond question, and if that is the basis of opposition to his appointment, then let it be. But let him be spared any further question about his loyalty. Atlanta knows there is no question about it.

'I need no defense; My record is clean,' Dr. Benjamin E. Mays says

COLUMBUS, Ohio — "I need no defense. My record is clean."

Thus declared Dr. Benjamin E. Mays, president of Morehouse College, this week, as he broke a long silence and refuted allegations he was once identified with subversive organizations.

Dr. Mays added: "What are you going to do? They (those who challenge him) won't believe it anyway. People who know me don't believe it. They know me better."

Dr. Mays, principal speaker at the 75th anniversary World Day of Prayer in the Veterans Memorial sponsored by the United Church Women and the Columbus Area Council of Churches, said he was not surprised at the controversy surrounding his appearance here.

The 65-year-old clergyman and educator, who said he would speculate on reports that he would be appointed as U.S. ambassador to Israel, said he never tried to explain the allegations before because "I have done nothing I have to defend. . . . An innocent man doesn't go around proving his innocence."

* * *

AND AFTER HE URGED 2200 listeners to make their prayers effective through personal action, he talked to two newspapermen, saying he never before had talked to the press on the frequent charges against him of lending his support to subversive groups.

Protests had been made to Dr. G. Weir Hartman, executive director of the Council of Churches, against Dr. Mays' appearance. Dr. Hartman supported Dr. Mays. Never, Dr. Mays said, had he lent his aid to the Civil Rights Congress which is cited by the House Un-American Activities Committee as subversive.

His name had been used by the congress without his consent, he said. "I have correspondence to prove it." He said those identified with the congress had never contacted him, nor had he attended its meetings.

Dr. Mays Is Given Peace Corps Post

By W. H. LAWRENCE

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PALM BEACH, Fla. — President Kennedy announced Thursday the selection of a bipartisan, 33-member national advisory council for the Peace Corps.

The advisory group will be headed by Vice President Lyndon B. Johnson as chairman, with William O. Douglas, associate justice of the Supreme Court, as honorary chairman. The group includes Dr. Benjamin E. Mays, Atlanta, president of Morehouse College.

FLIES TO FLORIDA

The establishment of the Peace Corps council was announced a few hours after the President arrived here to spend the Easter weekend at the home of his father, Joseph P. Kennedy, financier and former ambassador to Britain. The First Lady and their two children, 3-year-old Caroline and 4-month-old John F. Jr., have been here since Monday.

The President arrived at 11:15 a.m. after a jet flight of one hour and 56 minutes fro mWashington. He had delayed his trip for a few days in the expectation that a Soviet response to Allied proposals on Laos would reach Washington before he left.

BOOSTS FARM LOAN FUND

From Palm Beach late Thursday, the President announced two other official actions:

1. The signing of a measure to increase the funds available for farm-operating loans under the Bankhead-Jones Farm Tenant Act.

2. The selection of Thomas C. Mann, assistant secretary of state for inter-American affairs, to be ambassador to Mexico. Pierre Salinger, White House press secretary, said there was no word on a successor to Mann in the State department high command, nor was it indicated when the shift in assignments was contemplated. Mann has held the post since August, 1960.

KEEPS IN TOUCH

On his first major long-distance trip away from the White House since his inauguration on Jan. 20, the President was keeping in close touch with developments at home and abroad. But he said he hope these few days would consist mostly of relaxation and as much golf as possible.

On the jet flight southward, the President talked with Ambassador at Large W. Averell Harriman, who recently completed a round-the-world assignment, and Sen. J. William Fulbright, D-Ark., chairman of the Senate Foreign Relations Committee.

Both men hitched rides with the President for brief vacations in Florida.

After a quick lunch at his father's house, the President went out on the Palm Beach Country Club golf course for an abbreviated round of about 12 holes. His playing companions were his father; Carroll Rosenbloom, owner of the Baltimore Colts football team; and his brother-in-law, actor Peter Lawford.



Associated Press Wirephoto

HE'S CHAIRMAN
Vice President Johnson

King Presses President to Select Mays

Southern Negro integration leader Martin Luther King Jr. wired President Kennedy Wednesday that Negro voters "will be gravely disappointed" if Georgia's senators block the appointment of Dr. Benjamin Mays to a national post.

Dr. Mays, president of Morehouse College for Negroes in Atlanta, is reported under consideration for a Civil Rights Commission job in Kennedy's administration but Senators Russell and Talmadge have opposed it.

King's telegram said: "It would be a tragedy if such a distinguished American were deprived of the opportunity to serve his country in a unique position merely because of unwarranted and false accusations made by the two senators of Georgia."

"It seems obvious that the real objection that the senators have to Dr. Mays is that he has not been an accommodating ultraconservative leader . . .," King said.

Mays Sees Opportunity In "Peace Corps" Job

Dr. Benjamin E. Mays, president of Morehouse College, commenting on his being named by President Kennedy as a member of the national advisory council for the Peace Corps said here Friday, "It gives me an opportunity to be on the ground floor in helping to advise and formulate plans for the Peace Corps."

The noted religious leader and educator further said, "I hope it will be an opportunity to stimulate the study of historical trends by students of all races and point up the Negro participation in the Peace Corps on an integrated basis, particularly to African and Asians."

President Kennedy announced Dr. Mays selection to the 33 member group at Palm Beach. The Corps is headed by Vice-President Lyndon B. Johnson as chairman, with William O. Douglas, associate justice of the Supreme Court, as honorary chairman.

The advisory council will be charged with the task of giving "guidance and counsel" in the development of Peace Corps activities.

President Kennedy earlier had wished to name Mays as a member of the Civil Rights Commission, but Sens. Richard B. Russell and Herman Talmadge filed objections to the appointment at the White House. Kennedy later decided not to make the appointment.

Dr. Mays To Represent Peace Corps At Ethiopia Conference

Dr. Benjamin E. Mays, president of Morehouse College, will leave this week for Addis Ababa, Ethiopia, where he will represent the Peace Corps at a significant meeting on education in Africa. The meeting will be held May 15-25, however, Dr. Mays will return to Washington, D.C. on May 22 in order to report on the meeting to the Advisory Council of the Peace Corps which is made up of 33 members appointed by President Kennedy.

Dr. Mason of Atlanta gets state health post

The Afro-American
Baltimore, Md

ATLANTA — Dr. William A. Mason, a veteran of over 30 years in medical practice and health education, has accepted the position of chief public health educator in charge of colored health Department of Public Dr. Mason, who has been in private practice in Valdosta and Newman since 1952, had previously served as a health educator with to 1952, and in 1954-56.

A native of Cincinnati, Dr. Mason attended Ohio State ceived his medical degree om Meharry Medical Col-ge in 1929. He did his internship at Provident Hospital, Baltimore.

3-20-61

DR. MASON took part in a three-year veneral disease survey in Covington, Tenn., with the U.S. Public Health Servce. After that he was in private practice in Nashville and a part-time clinician on the staff at Meharry until 1942.

During the war, Dr. Mason served as a surgeon and health educator with the U.S. Public Health Service, and in 1945 was assigned to the Georgia Department of Public Health.

Negro Officeholders In Ga. Under President McKinley

Atlanta Daily World
Atlanta, Ga.
Sun. 2-12-61

PART I

By DR. C. A. BACOTE

Professor of History, Atlanta University
(From the Journal of Negro History)

The degeneration of the Republican Party in Georgia actually set in after 1872 when it came to be a collection of factions struggling for (1) a seat in the national convention, (2) federal offices as spoils of victory, and (3) race conflict within the party and between the party and Democrats. The Republican Party came to be labled a "Negro party" led by a few whites and a few Negro officeseekers and some leaders hopeful of enlarged federal protection of the rights of Negroes. It is the purpose of this paper to show how William McKinley, the arch-conservative thirty years removed from the idealism of Charles Sumner and Thaddeus Stevens, will deal with the Negro's aspirations for federal office.

President Cleveland's second administration produced so much internal strife within the Democratic Party that the Republicans in 1896 felt that they could "nominate a rag baby and elect its president." Although a number of candidates sought the Republican nomination at the national convention in St. Louis, it was no surprise when Governor William McKinley of Ohio was named on the first ballot over Speaker of the House Thomas B Reed by a vote of 661 1-2 to 84 1-2

McKinley was no stranger to Georgians. Knowing the voting value of the Southern delegates in the Republican National Convention, Marcus Hanna, his astute political adviser, rented a house in Thomasville in 1895 where he and McKinley met and entertained federal office-holders, white and Negro, from the entire South. Before leavnig the state. McKinley and his party visited the Savannah State Industrial College for Negroes where the president, R. R. Wright, a friend of long standing of McKinley's held a reception and introduced them to fifty of the most prominent Negroes in the city. These gestures on the part of McKinley served to enhance his popularity among the Negro politicians of the state.

Realizing that it was impossible to capture any offices on the state level, party leaders hoped to roll up a large vote or even win the elecotral vote of the state in the national election. On August 1, 1896, the Georgia Republicans held their official meeting at Rome for the ratification of McKinley's nomination with Major J. F. Hanson of Macon, a very wealthy cotton manufacturer and editor and owner of the Macon Telegraph, as principal speaker. After blasting the Democrats for their inept leadership,, Hanson turned his attention to the race issue. He deemed it unfortunate that the South was a slave to the Democratic Party because of the presence of the Negro. But as for himself, he declared that:

"I had rather trust the government of my state and the country . .. ..to the Negroes of Georgia and the South than to trust them to the forces that Altgeld controls and leads, and for whom the Democratic platform speaks.

"The Negro is not a socialist, he is not an anarchist, he is not an enemy of property, or capital, or money .. his ambitions point to a fireside that he may call home.. Where this is the case they plead for the best men for office and for good government.

"Shall I refuse to do my duty to the country because the Negro is true to the country? ... I do not prophesy, but the time may come when the Negro will constitute the great conservative element in southern politics."

What stronger appeal could be made for Southern whites than by showing that the Negro was a conservative citizen who was contented with the status quo and that Southern institutions were safer under a Republican administration than under the Democrats, whose program was replete with radical ideas?

Although it was denied by A E Buck, white and chairman of the Republican State Central Committee since 1882, McKinley clubs composed entirely of white business men were being organized and were working quietly throughout the state. The president of the Atlanta McKinley Club was Thomas H. Martin, editor and publisher of Dixie, an organ of the National Manufactures Association. Associated with him were A. R. Bryan, Edward L. Pratt, John Oliver, and C. W. Hunnicut, all outstanding business men in the community. These men, whose economic philosophy paralleled that of their Eastern associates, were greatly concerned with the future of the American economy if the "radical" monetary policies proposed by William Jennings Bryan and the Democratic Party prevailed.

Since the Democrats had been so successful in using the Negro as a scapegoat in winning state elections, there McKinley clubs borrowed a page from the Democratic campaign handbook. Without mentioning the Negro, these clubs sought to gain support for the Republican Party in Georgia by appealing to the prejudices of the white South against the darker races in general. Thomas P. Ivory, chairman of the Republican State Committee of McKinley Clubs of Georgia, in a letter to the Atlanta Journal wrote:

What does the contrast say to the American voter? It stands like a guidepost pointing to a Republican ballot. To us, who pin our faith to gold it is a consolation to know that our allies are the white races of the world. The mongrel races alone have silver for a standard On the other hand, gold is the money of Christianity .. What silver nation has a system of free schools .. .. Let the silver advocate exchange our country for one of his liking. Let him go to India and bathe in the slimy waters of the Ganges, or to China, where rats are a delicacy, or to Japan, Japan,tlethe..

where women have no virtue or to Mexico where three fourths of the population are practically slaves Such is the barbarism of the great silver countries.

Negro Officeholders In Ga. Under President McKinley

PART II

By DR. C. A. BACOTE
Professor of History, Atlanta University
(From the Journal of Negro History)

Thus the Republican Party in Georgia presented to paradox. One segment consisted of the Negroes who, in the Lincoln tradition, supported the party in hopes of gaining their constitutional rights. The other segment was made up of white business men, who put property rights above human rights and were willing to conduct a campaign based indirectly on white supremacy. In this respect, their tactics were no more ethical than those of the racebaiting Democrats of the day.

In the election Bryan had a majority of 34,581 over McKinley in Georgia, the vote being 94,672 to 60,091. This was the largest vote received by the Republicans in a national election since Reconstruction days, and it marked the peak of Republican strength in the state. In Fulton County (Atlanta) the vote was rather close, Bryan receiving 4,503 votes to 3,106 for McKinley. Although the white McKinley clubs claimed the major credit for the large McKinley vote in the state, they disclaimed any desire for political preferment from the administration.

It remained to be seen how the spoils of office were to be distributed distributed. Despite his unprecedented large vote from Georgia whites in 1896, McKinley was in no position to ignore the crucial support of Negro delegates in the national nominating covention. Thus his subsequent policy of appointing Negroes to federal jobs in Georgia is explainable by the dynamics of practical politics. Some of these appointments received the endorsement of Southerners, but others were to produce so much dissatisfaction among local whites that they only strengthened the Democratic Party in the local area.

Much excitement prevailed among the Negro politicians as to the plums that might come their way in view of the apparent rivalry for the same from the white McKinley clubs. William Pledger, long time Republican leader and chairman of the Republican State Central Committee from 1880 to 1882, who conveniently shifted his support from Reed to McKinley at the Republican State Convention, desired the post of consul at Kingston, Jamaica. T. M. Dent of Rome sought the ministership to Haiti. Monroe "Pink" Morton was eager for the postmastership at Athens. Judson W. Lyons, national committeeman, was to fight a losing battle for the potsmastership of his home town, Augusta. Henry Rucker, of Atlanta, hoped to be appointed Collector of Internal Revenue for Georgia, while J. H. Deveaux desired the collectorship of the Port of Savannah. C. C. Wimbish of Atlanta expected to be named as Surveyor of Customs in that city, and Jackson McHenry would be satisfied with the chief custodianship at the customs house. These were just a few of the positions sought by Negro Republicans in the state, and they were to cause McKinley much grief before they were settled. The demands for federal jobs by Georgia Negroes were so numerous that McKinley confided to a Republican member of the House that "the Georgia delegation wanted everything in sight, more than they were entitled to."

While Negroes were speculating on their political future, McKinley appointed Buck ,long time chairman of the Republican State Central Committee (1882-1897), as minister to Japan. In recognition of his services the Negroes held a reception in Atlanta at the Imperial Theater which was decorated with Japanese lantens. Tribute was paid Buck by Negro leaders who emphasied his fidelity to the Negro during this crucial period and his devotion to the principles of the Republican Party.

Thus passed from the scene, for he was never to return, the man who guided the destinies of the Republican Party in Georgia since 1882. Although there were times when his leadership was challenged by the Negroes, he was able, through his political acumen, to show himself the master of the situation when the occasion demanded. Despite the severe criticism of some of his policies, it appears that Negroes in general held him in high esteem. Although Buck designated Walter Johnson as leader of the party during his absence, it was expected that Buck would still determine the policies of the party from Tokyo.

White Southerners opposed the appointment of any Negro to a post where he might have frequent contact with whites in general and white women in particular. It was not a question of a Negro's competence, but his color, which was in keeping with the principle of white supremacy, "the central theme" of Southern history.

This usual attitude was demonstrated when Judson W. Lyons, prominent Negro lawyer of Augusta and Republican national committeeman from the state, was proposed by McKinley for the postmastership of Augusta. Immediately prominent white citizens of the city registered their protests. They urged Lyons to withdraw his name from consideration for the post, promising him that if he sought some other appointment such as a foreign consulship, he would receive their strongest endorsement. Lyons declined, claiming that he could ill afford to yield for the reasons given and still command the respect of his fellow Republicans. Congressman William H. Fleming, Augusta, called upon McKinley and urged him for the sake of harmony to retain the incumbent, Barney Dunbar, a one-armed Confederate veteran and a Democrat.

Lyon's case was unique in that many of the most prominent white lawyers of Augusta had written letters of endorsement to the Republican administration in Washington, thinking that Lyons would be seeking a foreign post. It was these letters that Lyons was to use to the dismay of the white people of Augusta. These endorsements pointed out that Lyons, unlike Pledger, was a man of integrity and not a strife breeder, and to turn him down would be an insult to the Negro race as a whole, since he was highly respected by all of them. In discussing the case, the Atlanta Journal admonished the white people of Augusta not to "endorse a man for one position of trust unless he is worthy and well qualified from every standpoint to fill it. A Negro that can serve his government abroad can serve it at home."

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GEORGIA

Negro Officeholders In Ga. Under President McKinley

Atlanta Daily World

Atlanta, Ga.

Wed 2-15-61

PART III

By DR. C. A. BACOTE
Professor of History, Atlanta University
(From The Journal Of Negro History)

The only "barrier that stood between Lyons and the Augusta postmastership was Postmaster-General James A. Gary, who told a Georgia congressman:

"I believe Lyons is a good Negro—that perhaps he deserves this place, but I also know well enough the temper and feelings of the southern people not to inflict upon them unnecessarily. I will oppose his appointment with the idea of giving him something better."

Meanwhile, white opposition to Lyons' appointment was increasing. One Democrat said that if McKinley made the appointment, he would destroy all prospects of building a strong white Republican Party in Georgia, for those Democrats who were inclined to support McKinley would return to their own party.

Another declared that this was the reward for those Democrats who helped elect a Republican president, claiming that if they had supported their own nominees, the question of a Negro postmaster in Augusta would have never arisen.

Some business men even had their wives write letters to Washington protesting the appointment. It was even hinted that some Negro school teachers and preachers joined the whites in opposing the appointment.

The vacillating policy of McKinley in connection with the Lyons' appointment aroused the ire of T. Thomas Fortune, militant Negro editor of the New York Age. Addressing a large group at the Metropolitan Methodist Episcopal Church in New York City, Fortune blamed Postmaster-General Gary for blocking the appointment.

Then he recited a long list of Negroes who had worked faithfully for McKinley's nomination but who had been completely ignored in the matter of federal jobs. He condemned the Republican Party program in general, claiming that the tariff issue did not benefit the Negro.

"What chance has any colored man to obtain work through any of the trusts which have been loaded with favors by these tariffs? How much does the tariff help the colored man in the South?"

He declared that the entire Negro race was disgusted with the McKinley program and that this resentment would make itself felt in the next campaign. Yet Lyons was quick to defend the McKinley administration against Fortune's attack. He state dthat the Postmaster-General had never referred to his color while in his presence nor did he express opposition to his appointment as postmaster of Augusta. He expressed the utmost confidence in the administration deciding the issue on its merits and not the basis of color.

Negroes were very critical of the attitude shown by the white citizens of Augusta toward the Lyons' appointment, claiming that it exposed their hypocrisy and perfidy. Discussing the issue in an editorial, The Savannah Tribune declared:

"In the heated political contests in Augusta the last six years between the Democrats and Populists, the Democrats hugged the Negro and professed so much friendship for him. In return these same Democrats are showing their friendship by endeavoring to prevent one of the ablest and most respected colored men that can be found from appointment to an honorary position in that city. This is one of the ways in which they show friendship when they have no use for the colored brother."

The Lyons' issue placed McKinley in a dilemma. If he appointed him to the Augusta post, strife and discord would be created among the whites. If he did not, then there was danger of driving the Northern Negro Republican to the Democrats. Thus in order to ease the tension, Lyons was offered a superintendency in the post office department in Washington at a salary of three thousand dollars a year.

Lyons rejected it, claiming that he preferred to continue his law practice in Augusta which netted him an income of between three and four thousand dollars a year. Furthermore, Lyons declared that he considered himself competent to handle the Augusta postmastership.

There were other reasons why McKinley was reluctant to appoint Lyons to the postmastership. A Negro named Lofton had been appointed postmaster at Hogansville, Georgia. The whites were so incensed that they refused to patronize the post office and emphasized their opposition by firing shots at the postmaster. Also, Postmaster-General Gary, who earlier has withdrawn his objections to Lyons, told McKinley that if he insisted on making the appointment, he might as well concede Maryland back to the Democratic Party.

The other post which was offered Lyons was that of Register of the Treasury. When Walter Johnson, Buck's successor as boss of the Republican Party of Georgia, proposed this to McKinley, the latter recognized the merits of the idea but said that he thought that such an important post should go to a state that had gone Republican in the last election.

After consulting his Negro friends, Lyons decided to withdraw his name for the postmastership at Augusta and asked the President for an appointment in Washington. Commenting on his withdrawal the Savannah Tribune stated that he showed manhood and dignity during the entire controversy and that under his guidance of the party as national committeeman, "more Georgians have been recognized in more honorable positions tha never before."

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GEORGIA

PROFESSOR CHESTER A. DeVILLARS (NEGRO)
APPOINTED TO VOTER REGISTRATION BOARD

Darien Principal Appointed To Voter Registration Board

DARIEN, Ga.—Professor Chester A. DeVillars, principal of the Todd-Grant High School here is now serving on the Voter Registration Board of McIntosh County.

He was appointed to this position by Judge Henry Durrence, of the Atlantic Judicial Circuit, at the May term of court and was made official Saturday.

Judge Durrence said from his office at Claxton late Saturday that Professor DeVillars was one of six persons recommended to him by the Grand Jury. The judge was also quoted as saying "the right to vote is

The 47-year-old school principal told The Atlanta World Saturday night that he was appointed to the position on the Board along with two white citizens.

The veteran educator is a graduate of Savannah State College and Columbia University.

SEPTEMBER

GEORGIA

ATTY. A.T. WALDEN
APPOINTED-MEMBER OF THE AMERICAN BATTLE MONUMENTS COMMISSION

34c(1) 1961

TO MAKE WORLD TOUR

Walden Now Member Of Monuments Commission

ATLANTA, Ga.—(SNS)—

Atlanta Attorney Austin (Colonel) Walden was sworn in on Wednesday morning as a member of the American Battle Monuments Commission. The ceremonies were witnessed by a group of relatives and friends, including mayor-elect, Ivan Allen, Jr., in the private chambers of Superior Court Judge Virlyn B. Moore.

Walden was appointed to the commission by President John F. Kennedy in late August, and reported to have been informed of the appointment by Georgia Senator Herman Talmadge, and a special aide of the President.

The pioneer Negro lawyer thus becomes the third Atlanta Negro to receive important appointments in recent months by President Kennedy. Morehouse College President Dr. Benjamin E. Mays wound up being named to the Advisory Committee of the Peace Corps after his nomination to the Civil Rights Commission was successfully opposed by Southern Congressmen.

Dr. Samuel Westerfield, Dean of the Atlanta University School of Business Administration, received a high Kennedy appointment in the Treasury Department, and has been working in his new position more than two months.

Attorney Walden replaces Brig. Gen. Benjamin O. Davis, Sr., as the only Negro on the so called "blue chips" commission. Membership on the 11 man commission is said to be one of the most coveted appointments sought after by retired military officers and government men, and others in national government affairs.

The duties of the commission will include mainly visiting, inspecting, and making recommendations on U. S. military cemeteries all over the world.

Other members of the commission include: :General Jacob L. Devers, Admiral Thomas C. Kinkaid, Honorable Leslie L. Biffle, Honorable Joseph Duke, Honorable T. Harry Gatton, Mrs. Charles G. Peters, Honorable Charles E. Potter, Honorable Sidney Solomon, Jr., General Carl Spaatz, and General Alexander A. Vandegrift. General Devers and Admiral Kinkaid are chairman and vice chairman respectively of the commission.

Walden had been rumored as being considered for numerous appointments during the first few weeks after Kennedy became President. Among them were alternate delegate to the United Nations, and as special council to the Housing Authority.

The ceremonies Wednesday were witnessed by Mrs. A. T. Walden, his daughter Mrs. Genelse Holloway, Mrs. R. L. McDougald of the City Executive Committee, C. R. Yates, Attorney Prudence Herndon, Mrs. Grace Hamilton, Warren R. Cochrane, Mrs. W. A. Bell, Leroy Johnson, Rev. William Holmes Borders, Mrs. Mary E. Harmon, and Robert Troutman, a special aide to President Kennedy.

Though retired from active law practice, Attorney Walden is presently wielding up law and business matters in time to join other members of the commission on world tour of duty which begins in November.



ATTORNEY A. T. WALDEN SWORN IN — Fulton County Superior Court Judge Virlyn B. Moore (l) administers the oath of office to Atty. A. T. Walden as a member of the American Battle Monuments Commission. The ceremony was witnessed by relatives and political and civic dignitaries, including (in the background) Robert Troutman, Jr., Aide to President; Atlanta Mayor-elect Ivan Allen, Jr., and Atty. Leroy Johnson.—(Perry's Photo).

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GEORGIA

OCTOBER

MRS. IRENE WRIGHT- APPOINTED TO THE PRESIDENT'S COMMITTEE OF MENTAL RETARDATION

Former Spelman Dean On JFK Mental Committee

Atlanta Journal
Wed 10-11-61
Atlanta Ga

A former Dean of Women at Spelman college is one of two Georgians appointed to the president's Committee of Mental Retardation, it was announced Tuesday.

Mrs. Irene Wright, now a faculty member at Albany State College, and Dr. William Hurder, associate director of mental health of the Southern Regional Educational Southern Regional Educational Board, will join the remainder of the panel for a meeting with President Kennedy next week.

Mrs. Wright, a speech pathologist at Albany State, witl join others members of the panel, which is composed of men and women in science, law, education, medicine, sociology, business and psychology in ways and means of preventing curing, caring for, and the theraphy of mental retardation.

The panel, to be headed by Dr. Leonard Mayo, is the idea of President Kennedy, and is designed to tackle what he calls a growing national problem, and a need to improve this condition. 10/18/61

Negro Officeholders In Ga. Under President McKinley

Atlanta Daily World
Atlanta, Ga.
Sept 24 1961

PART VI

Professor of History, Atlanta University
(From The Journal of Negro History)

Thus it appears that the Negroes were satisfied with McKinley as long as he adhered to the policy of giving them recognition as officeholders. However, the Spanish-American War produced a sudden change. The appointment by McKinley of ex-Confederate generals like Fitzhugh Lee and "Fighting Joe" Wheeler to major-generalships in the United States army and the response of Southerners to the call for volunteers helped to alleviate the tension that existed between the sections and enabled the South to resume its position in national affairs.

Instead of berating McKinley for his Negro appointments, the South began to express admiration for his forgiving spirit. The net result of this was to alienate from the McKinley standard many Negroes, who felt that he had given support to the Negro hating South "by his conciliatory attitude toward the Spanish-American War."

This changed spirit was much in evidence when McKinley visited Atlanta in December, 1898. Following the signing of the treaty of peace ending the war, Atlanta was the first city to arrange a huge peace jubilee and parade to celebrate the occasion, with President McKinley as the honored guest.

Speaking before the joint session of the Georgia Legislature on December 14, McKinley told them, many of whom were ex-Confederate soldiers, that "sectional lines no longer mar the map of the United States.

"Every soldier's grave made during our unfortunate Civil War is a tribute to American valor . . . and the time has now come, in the evolution of sentiment and feeling under the providence of God, when the spirit of fraternity we should share with you in the care of graves of the Confederate soldiers."

These remarks were the occasion for a standing ovation from the solid mass of humanity in the hall. According to McKinley's biographer, "it was the first time that the South had fallen in love with a Republican President.

From Atlanta, after speaking at Tuskegee and Montgomery, Ala., the President and his party went to Savannah where addresses were made to the Board of Trade and Associated Citizens on December 17 and to the State Industrial College for Negroes the following day.

Over 1,000 people were present at the College to greet the President. Seated on the platform with him was "Fighting Joe" Wheeler, who had become not only an idol of the South but of the nation.

Dr. J. J. Durham, one of the most eloquent Negro ministers in the city, welcomed the President on behalf of the Negro citizens. He commended McKinley for the achievements of his administration, and then proceeded to narrate the progress made by the Negro race educationally and economically since emancipation. In conclusion, Dr. Durham declared:

"If we have not made all the progress and learned all the lessons within the last 30 years that our good white friends think we ought, let them not forget that from the time when the Anglo-Saxon crossed creeks and rivers on logs and rafts, to the time he crossed East River on Brooklyn bridge, was the stretch of more than 1,000 years."

The President rose and stated that the eloquent words expressed by the speaker made a profound impression upon him. Concerning the progress of the Negro race, the President asserted, "It is better to be a skilled mechanic than a poor orator or an indifferent preacher," and that "nothing in the world commands more respect than skill and industry."

He admonished the Negroes to "Be patient, be progressive, be determined, be honest, be God-fearing, and you will win, for no effort fails that has a stout, honest, earnest hand behind it."

While McKinley's southern trip might have increased his popularity among the whites, it deffnitely produced an unfavorable reaction among the Negroes. The exclusion of Negroes from the reception committees that welcomed the President in the various cities in the South left the Negroes unhappy. Then, too, in all of his speeches, McKinley did not mention or condemn race proscription. When he proposed that the North should share with the South in the care of the graves of the Confederate soldiers, it gave the Negroes the impression that he condoned the Southern policy instead of condemning it. On the other hand, McKinley, in view of the enthusiastic reception accorded him by the South, sincerely believed that the trip had desulted in the nation becoming united once more.

When McKinley was unanimously renominated for President by the Republicans in 1900, there were a few dissenters among Negroes in Georgia, among them being the distinguished prelate, Bishop Henry McNeal Turner of the African Methodist Episcopal Church. Turner had been prominent in Republican politics during the Reconstruction period, having served in the state constitutional convention of 1867-68, and in the Georgia House, 1868-70. During the 1880's he deserted the Republican Party in favor of the Prohibitonists claiming that the Republican Party had become the party of vested interests. But on September 5, 1900, while still claiming to be a Prohibitionist, Turner announced he would vote for William Jennings Bryan, the Democratic nominee.

"Five times before I would vote for William McKinley once and — that between Bryan and McKinley, I am for Bryan — because we have tried McKinley for four years and he is no benefit to the black man, except in giving some of them just a few offices, but the great bulk of my race receive no more recognition at his hands than a man who has been dead for 20 years."

Notwithstanding the stature of Turner and the argument presented by him, it seems that the attachment of Negroes to the Republican Party was so strong that they would not accept his proposal that they become identified with the Democratic Party. For instance, the Savannah Tribune, owned by Deveaux, stated that no decent Negro could afford to support the Democratic Party since it was the party of "Jim-Crow," disfranchisement, and proscription in general of the Negro. "There is no man in the South," said Judson Lyons, "That the Democrats have so little respect for as the colored man that claims membership in the (Democratic- party.'"

The election results in Georgia gave Bryan 81,700 votes ti 35,832 for McKinley, which was a sharp drop from the 60,000 received by the latter in the 1896 presidential race. Not only did Negroes rejoice in McKinley's reelection but also prominent white businessmen in Atlanta. J. W. English, president of the Fouth National Bank, Jacob Haas, president of the Capital City Bank, and Frank Hawkins, president of the Third National Bank, all declared that the re-election of McKinley satisfied all businessmen.

This is concrete evidence that the Republican Party had become the party of property and big business regardless of its location.

McKinley had little time to consider the Negro question in the South after his reelection. An assassin's bullet ended his career only six months after his second term began. This tragedy at the Buffalo Pan-American Exposition was of especial concern to Negroes of Georgia because of the heroism displayed by a Georgia Negro, J. F. Parker, a waiter, in subduing the assassin after he had fired the fatal shots.

McKinley's death was received as a shock by Negroes. At memorial services held for the chief executive in Savannah, President R. R. Wright of the State Industrial College for Negroes and long time friend of the deceased president, said that:

"The most enduring thing is his moral and Christian life — politics and statecraft were forgotten. The mantle of his political life he could drop from his to other shoulders, but the sweet life that he had lived, he carried with him; to us he leaves the memory of it."

It was expected that Negroes would be saddened over McKinley's death, since he had appointed more Negroes to federal office than any of his predecessors. However, during his triumphant tour of the South following the Spanish-American War, at which time he endeared himself to white Southerners, he indicated he might have been willing to sacrifice the Negro for North-South reproachment. From this standpoint, McKinley's death was unfortunate for the South for his successor was Theodore Roosevelt. And Roosevelt, not having any immediate feeling of obligation to the South, would as McKinley had done in the early part of his administration, continue to appoint Negroes to federal positions in that section.

Negro Officeholders In Ga. Under President McKinley

The Atlanta Daily World
Atlanta, Ga.

PART V

By DR. C. A. BACOTE
Professor of History, Atlanta University
(From The Journal Of Negro History)

When Hall asked that the resolutions be adopted without reference to a committee, Representative T. D. Oliver of Burke County stated that it misrepresented the true Southern sentiment by giving the impression that the South endorsed the Lawless Act.

Fri 2-17-61

It was finally agreed that the resolution be referred to the Committee on the State of the Republic. This committee, consisting of eleven Populists, two republicans for four Democrats, reported adversely on its passage. But the House, whose membership was seventy five per cent Democratic, ignored the recommendations of the committee and adopted the resolution almost unanimously.

In disucssing this action by the Georgia House, the Savannah Tribune said that "The Georgia Democrats, who when they were seeking election as representatives hugged, wined, dined and slept with colored men in order to get their votes, now turn and venomously sting those whose aid they beseeched last year."

Despite bullets, legislative resolutions, and numerous threats, Lofton continued to serve as postmaster. But his problems were becoming more and more acute each day. In an effort to counteract the boycott of the post office by whites and forestall their practice of mailing their letters on the trains, the Post Office Department ordered the railway mail clerks to lock the mail boxes on the cars.

However, to circumvent this order, the whites would give a suitcase of letters to a salesman or other travellers to mail at the next station, or to mail carriers who left Hogansville daily with mail for country towns.

Under these conditions business was very poor. Although a hundred letters were mailed from Hogansville daily, only those of Negroes were passed throug the post office. As part of his pay was based on stamp cancellations, Lofton averaged about eleven cents a day, whereas his white predecessor earned about sixty dollars a month from this source. The situation became so precarious that Lofton found himself deeply in degt, and his creditors were pressing him for payment. Speaking of his dilemma, Lofton said: "It is not pleasant to live in a town where the people do not treat you with respect. If I do not get another position it won't be my fault. I would rather take another position and be glad to get it."

Finally, the building which was used by Lofton as a post office and which was owned by him, was burned, destroying all of the mail and the post office fixtures. By this time, Lofton realized that the odds were against him. Through the efforts of his friends, he was able to get an appointment in one of the departments in Washington.

Without revealing his plans to anyone, not even purchasing a ticket at the railway station, he left secretly for his new post in Washington. Opposition to Negro officeholders by whites applied not only to postmasterships but to lesser posts. Upon learning that Negroes were to be appointed as census takers in Meriwether County, Congressman Adams of that district sent a wire in protest to Washington.

When fourteen Negroes, three of them women, were named for the same position in the Tenth Congressional District (Augusta), the white people expressed their disapproval. When the census supervisor in Washington informed them that he could not remove anyone except for civil service cause, it only increased their resentment.

Thus the attitude of the whites in general toward McKinley's appointments was one of dissatisfaction for the Southern people in the last campaign, they felt that he would reverse the Republican policy of the past of appointing Negroes to positions where they would be continually thrown into contact with white people. However, in their opinion, "He has not befriended the black man by this unwise policy and he has lost the confidence and respect of a large majority of the whites."

It is quite clear that the only objection that the whites had to the Negro officeholder was his color, regardless of his competence. Yet, when the facts are examined, this objection is unfair. Although Negroes represented ninety per cent of the regular Republican strength in the state, their appointments were few in comparison with those given to white Republicans (V. O. Key calls them residential Republicans), Democrats and Populists. In fact, so many Democrats and Populists were given political preferement in federal jobs that the Negro Republicans of the Second Congressional District met at Albany, December 30, 1898, and passed resolutions condemning the practice. During McKinley's adminstration, whites in Georgia received appointments as ministers to Japan and Ecudor, to all the United States marshalships in the state, in addition to nearly five hundred post office jobs.

Before The Spanish American War, the Negroes, in spite of some mistakes, regarded McKinley as the best friend they ever had, pointing out that he had appointed more Negroes to responsible positions in Georgia than all the earlier presidents combined, including posts not held before by the race.

Among the appointments cited on the state level were the Internal Revenue collectorship, Collectorship of the Port of Savannah, post masterships at Athens and Hogansville, and the superintendency of the stamp division. In addition, a Georgia Negro was appointed as consul at Asuncion, Paraguay and R. R. Wright, president of the Savannah State Industrial College for Negroes, and a graduate of Atlanta University, was appointed paymaster of the United States Army with the rank of major.

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ILLINOIS

OCTOBER NOV.

J. Avery Smith to head Wage-Hour field office

Afro American 6/

Sat 10-28-61

CHICAGO — J. Avery Smith has been named by Secretary of Labor Arthur J. Goldberg to head the U.S. Labor Department's Wage and Hour and Public Contracts Divisions field office on Chicago's South Side, 733 W. 64th St.

Baltimore, Md.

Mr. Smith, who has been a supervisory enforcement specialist with the Divisions in Washington, fills the vacancy created by the death of Frank J. Klima.

* * *

THE FIELD office is responsible for the enforcement of the Fair Labor Standards Act and Walsh-Healey Public Contracts Act in about 65 percent of Cook County and in the adjacent counties of Will, Kankakee, Grundy and Kendall.

Mr. Smith holds an A.B. degree from Fisk University and also did graduate work at the University of Chicago. Before joining the Divisions as an investigator in 1942, he was with the Chicago Relief Administration and the Cook County Bureau of Public Welfare.

Smith transferred in 1947 from Chicago to the New York region, where he was an investigator in the Brooklyn and Buffalo field offices. He also served overseas for two years with the American Red Cross during World War 2.

He has been in his present position since 1956 and received an award for superior performance last year.



J. AVERY SMITH

Rally Behind Earl Dickersson

NAACP Honors Negro Rejected for Position

The Courier 64

Sat 11-11-61 Pittsburgh, Pa

(Special to The Courier)

CHICAGO — An NAACP rally here Nov. 12 will honor Atty. Earl B. Dickerson who last week was rejected by the Illinois State Senate as being "unacceptable" as a member of the State Fair Employment Practices Commission.

Dickerson's rejection by the Senate committee, the first time in the past decade a Gubernatorial appointment has been refused confirmation, is viewed by many Negro and white leaders as a vicious smear tactic.



Atty. Greenberg

Main speaker for the rally will be Jack Greenberg, chief legal counsel for the NAACP, who recently succeeded Thurgood Marshall in that position.

■

DICKERSON WAS rejected by a Senate committee vote of 11 to 8. The action has been viewed by many as the work of GOP politicians and pressure groups, including some close to the House Un-American Activities Committee.

The appointment was made by Gov. Otto Kerner. Two other persons were confirmed by the committee, Mrs. Orville Freeman, and Robert J. Myers.

Ralph Helstein, president of the United Packinghouse Workers of America, also came before the legislative committee as a controversial nomination by Gov. Kerner.

■

MR. DICKERSON, an insurance executive as well as an outstanding lawyer, has long been active in civil rights movements in this state and nationally.

Pressure against him as a member of the newly created State FEPC was brought because his alleged association with so-called suspect organizations. This he firmly denied.

A spokesman for the Chicago Branch NAACP said the call to honor Atty. Dickerson was made to "let the State of Illinois know that it has lost the services of one of its most able leaders, and also inform the racists who used the tool of character assassination as a weapon and cowardly shield to hide their bigotry."

The meeting will be held at Liberty Baptist Church. The spokesman said additionally:

The meeting "would be a demonstration of unity, bent on progress and a determined fight against reactionaries whose goal is to shut out employment opportunities of more than a million Negro citizens in the state of Illinois."

It will be the first appearance of Atty. Greenberg since taking over as the NAACP's Number One legal post. He formerly was Atty. Marshall's top assistant.



ATTY. EARL DICKERSON
. . seen victim of smear tactics

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Negro Alderman Inherits 'Mantle Of Leadership'

Chicago Defender

11(4-10)1961

By AUDREY WEAVER

From WPA worker of the Depression Days to kingpin of some 68,000 persons is the success story of Ald. Benjamin Lewis, the city's new political leader.

And as a means of not forgetting those humbler days, the new Committeeman of the 24th Ward keeps the shovel that he used on his first WPA job, mounted and hanging prominently on his office wall.

For those of the new generations who may not know about WPA, it was the Works Projects Administration set up by President Franklin D Roosevelt to create job opportunities for the jobless hordes of the mid 1930s. And along with other FDR innovations at that time it was instrumental in getting millions of Americans into the Democratic Party fold.

FIRST NEGRO

Ald. Lewis, who this week became the first Negro to become ward committeeman in the area, realizes that he is on a politicall hotspot because the 24th Ward, for a long period has been a terrific Democratic stronghold with the voters turning in large majorities at the polls for the party's candidates. It is up to Lewis to keep and even surpass this goal.

But the tall, thin politician says he has been in politics for 32 years and he welcomes the challenge.

One of the challenges, observers feel, is dealing with some 37 white precinct captains who do not even live in the ward, but have jobs and power.

Of this, the energetic committeeman says:

"These men were the ones who helped build the 24th Ward into one of the strongest Democratic wards in the nation and you are still doing a good job. You do not break up a winning team. They are welcome to stay in the organization as long as they wish."

However, it is believed by others that they will leave as soon as they can line up political connections in their own areas or elsewhere.

NEEDS HELP

Lewis insists that this situation will resolve itself, but in the meantime he needs the help of all in keeping the organization going and strong.

In the meantime, the Georgia-born, Chicago reared Lewis has progress plans for his Westside territory which include:

1. Helping to improve housing conditions: 2. improving the sanitation of the community; a more intense youth program and 4, getting the dissident groups to join in and work for the good of all.

In regard to improving sanitation he says that will include an education program along with demonstrations to the people. Lewis says he has the support of Mayor Richard Daley in his desire to improve sanitation.

Already working with youth groups, the alderman explained that his new program will include expanding that work and getting something lined up for both the good and the (so-called) bad youths.

PARTYMAN

As the new committeeman was congratulated on his step upward this week, he was hounded by the query: Does this assignment means that you are being groomed by the local Democratic Party to take over power from Congressman Dawson? And, do you think this might lead to a fight between you and Rep. Dawson for power?

11(4-10)1961

Lewis replied that he was with Dawson 100 per cent in whatever the Congressman undertook and he has no power fight in mind at all.

"Rep. Dawson has been looking after the interests of the Negroes in this city for a long time and that is my aim in my ward. We both want progress for our race, so there is nothing to fight about," Alderman Lewis stated.

He declared that he was a 100 per cent party man and there is unity in the party.

From obscurity to the limelight was no easy task for Ben Lewis, but he kept plugging away and from each job he went on to a better and more challenging one.

CTA DRIVER

During his career he has worked as a CTA driver, union organizer, clerk in the U. S, Employment Service and in the unemployment compensation office. Currently he is in the eal estate management business and maintains, modern, attractive offices at 3553 W. Roosevelt rd.

A resident of Chicago since he was 4-years-old and fatherless, Lewis came here from Newark, N. J., and has lived on the Westside the entire time He attended Crane High school and Crane Junior college. He was a star athlete while in school.

Lewis has been in politics for 32 years and strange as it may seem to others who always think of Negroes in connection with the Southside, he has never cast a vote on the Southside.

Before being appointed to fill the 24th Ward aldermanic post in 1958, he had been a precinct captain for 17 years. He was elected to the aldermanic spot in 1959 and his current term does not expire until 1963.

SUCCEEDS DEUTSCH

In his new committeeman post, which is up in 1964, he succeeds Sidney D. Deutsch, who died Oct. 20. When he was appointed alderman in 1958, he also was taking a spot vacated by Deutsch. At that time Deutsch was named county treasurer. Later he became a county comissioner, and was serving on the county board at the time of his death.



BENJAMIN F. LEWIS

The 5J-year-old Lewis lauded the Cook County Democratic Central Committee for naming him to the committeeman post and commented that Westsiders are heartened by it "It was a great decision," he added. Among Lewis' many well wishers this week was Col. Jacob M. Arvey who telephoned his congratulations from Florida. Arvey, national committeeman, has held the post, and is credited building the 24th Ward.

As a member of the City Council Lewis serves on the finance committee, the license committee, local industries, streets and alleys committee and is vice chairman of the police, fire and civil service unit.

OUTLINE WARD

While there are only 68,000 Negroes in the 24th Ward, Lewis explains that there are approximately 480,000 Negroes on the Westside and his appointment is a reflection of party recognition for all of them.

Lewis' ward is bounded by Sacramento ave, and Pulaski rd. and by Ogden ave., 18th and 19th streets and the Great Western railroad tracks north to Roosevelt rd.

In addition to his political activities he is very active in community and church affairs. He is a member of Greater Galilee Baptist church at 1308 Independence blvd; the Lawndale Youth Commission; the NAACP, board member of the Greater Lawndale Conservation Committee, the Chicago Youth Commission and the Plumbers' Union.

He is a trustee at Greater Galilee and has a radio program on Station WBEE. During World War II he was a lieutenant in the infantry.

His daughter Joan, by a former marriage, teaches in the public schools. Lewis and his wife, Ella, live at 3939 W. Fillmore.

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INDIANA

OCTOBER

THEODORE D. WILSON-APPOINTED
CIVIL RIGHTS CONSULTANT

Wilson, Of Fairfield Made Civil Rights Consultant

Birmingham Ala 61
Wed 11-23-61

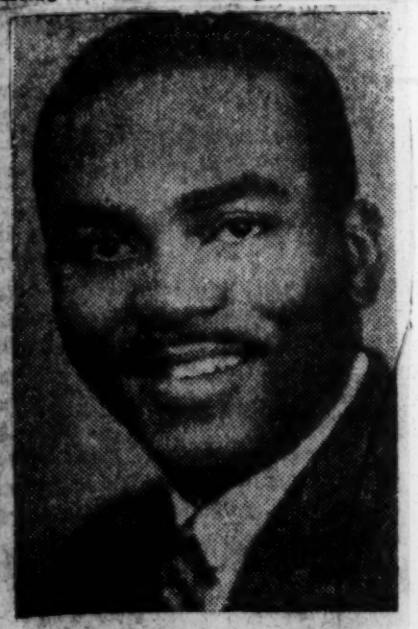
INDIANAPOLIS, Ind. — (SNS)— Theodore D. Wilson, a native of Fairfield, Ala., has been appointed civil rights consultant by the Indiana Civil Rights Commission.

The announcement came from Harold O. Hatcher, executive director of the Indiana Civil Rights Commission, a reserve captain and a Korean veteran holds a bachelor's degree from Wilson, Wilberforce University, Xenia, Ohio and a law degree from the Indiana University School of Law. He has done additional work in the field of government at Indiana University.

Birmingham Ala

Hatcher noted that Wilson's duties wil linclude investigation and conciliation of complaints brought to the commission and counseling with employers, employees, labor representatives, school and college officials, employment agencies, students and other interested groups on problems in intergroup relations. He said that "Ted brings to this position the varied training, leadership experience and warm personality' necessary to make an invaluable contribution to the Commission's work throughout the state."

A former professor of political science at Miles College at Birmingham, Alabama, Wilson is thirty-two ears old, marired to the former Mamie Thompson of Columbia, South Carolina and the father of one son. He is a member of the NAACP, the Frontiers of America, International Phi Beta Fraternity and Phi Delta Phi, a legal fraternity.



THEODORE D. WILSON

John O. Moss Appointed To High Post In Indiana

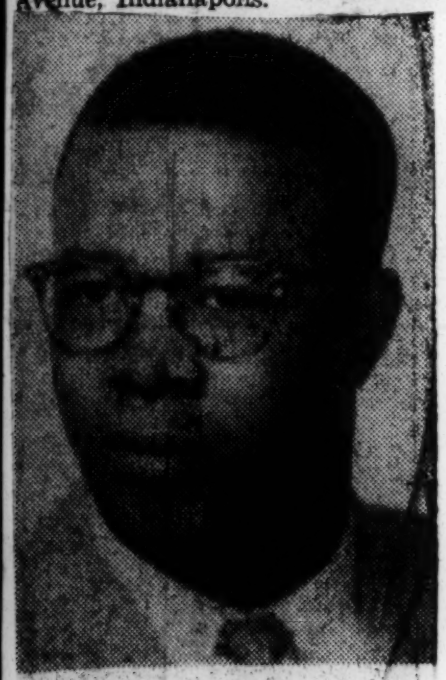
INDIANAPOLIS, Ind. — (SNS) — The appointment of John O. Moss, son of Mr. and Mrs. John Moss Sr., of 5813 Avenue G, Fairfield, Ala., as Legal Research Clerk to Judges, John S. Gonas and Walter Myers, Jr., of the Appellate Court of Indiana was announced Jan. 6.

Mr. Moss is a graduate of Dillard University, New Orleans, La. and is now a senior student in the Indiana University School of Law, Indianapolis Division.

This appointment marks the first time a Negro person has been elevated to this position by the Appellate Court of Indiana.

Judge Gonas appointed the first Negro person (in fact two) to the St. Joseph County Probate and Juvenile Court in that northern Indiana county.

Mr. Moss, age 24 years, is single and resides at 1772 Minocqua Avenue, Indianapolis.



JOHN O. MOSS, JR.

Three Leave U.S. To Staff Exhibit In Cairo

Chicago Defender Chicago, Ill.

WASHINGTON, D. C. — Thirty-nine of those who will staff the U. S. Exhibit at the Cairo, Egypt, International Agricultural Exhibition, March 21-April 21, left last week for Cairo. 3-(4-10)-61

Three of these are colored. They are Sherman Briscoe, an information specialist of the U. S. Department of Agriculture; 4-H'er Junius B. Russell, jr., a sophomore at A. and T. College, Greensboro, N. C.; and Cline J. Warren, an agricultural economist of USDA's Foreign Agricultural Service.

Briscoe is serving as Stateside information coordinator of the exhibit; young Russell will help staff a simulated county extension office to be on display; and Mr. Warren will man the "Food for Peace" section of the exhibit.

STAFF MEMBERS

In addition to those leaving this week, more than a dozen staff members are already in Cairo where the exhibit is nearing completion.

Theme of the $1.2 million U. S. Exhibit is "Power to Produce for Peace." The displays will cover about two acres, or an area the size of two football fields placed side by side, and will tell the story of America's unsurprised farm production. This will include portrayal of the transformation from a wooden plow to automation within a span of 100 years.

Twenty-two other nations will have exhibits in Cairo. Among these are Russia, France, Communist China, Spain, Ghana, India and Mexico.

Farm employment continues its downward trend with 141,000 fewer persons at work during the survey week of January 22-28 than during the same period a year ago, reports the U. S. Department of Agriculture.

The employment drop in the South, due partly to weather conditions, totaled 85,000, or more than half of the nation wide decline. Colored farmers and hired workers make up a sizable proportion of the farm work force in the Southern region.

For the nation as a whole the decline was from 5,006,000 to 4,865,000 Farm mechanization and the cintinuing decline in the number of farms account for the downward trend which has been underway for many years, say USDA officials. However, the smaller work force is continuing to set production records.





SHERMAN BRISCOE, an information specialist of the U. S. Department of Agriculture, and Cline J. Warren, an agricultural economist of USDA's Foreign Agricultural Service, are scheduled to depart for Cairo, Egypt, Friday along with 37 others to help staff the U. S. Exhibit there. The United States and 22 other countries are participating in the International Agricultural Exhibition in Cairo, March 21-April 21. Mr. Briscoe is serving as State side information coordinator, and Mr. Warren will have charge of the "Food for Peace" section of the exhibit. (USDA Photos)



TO EGYPT—Sherman Briscoe, an information specialist of the U.S. Department of Agriculture, and Cline J. Warren, an agricultural economisst of USDA's Foreign Agricultural Service, are scheduled to depart for Cairo, Egypt, Friday along with 37 others to help staff the U.S. Exhibit there. The United States and 22 other countries are participating in the International Agricultural Exhibition in Cairo, March 21-April 21. Mr. Briscoe is serving as Stateside information coordinator, and Mr. Warren will have charge of the "Food for Peace" section of the exhibit. (USDA Photos).

Specialists to Aid W. African Nation

TUSKEGEE INSTITUTE, Ala. —The industrial development of Sierra Leone will be assisted early next year by the State Department through a staff of five technical specialists.



Dr. Ernest Neal

Headed by Dr. Ernest Neal, a representative of the International Cooperation Administration (ICA), the team is slated to arrive in Freetown, Sierra Leone by Jan. 15. Ten more technical specialists will join the team within a year.

Dr. Neal, on leave since 1954 from his post as director of the Rural Life Council at Tuskegee Institute, has just completed a two-year tour of duty in Monrovia (Liberia) where he was deputy commander of the ICA mission.

THE CURRENT assignment in Sierra Leone is designed to help improve the colony's power-communication system, transportation system, and the development of health education in agriculture.

In addition to providing technical assistance in Sierra Leone, the ICA program provides grants that will support the training of technicians in the colony.

At least two-thirds of the technical assistance in Sierra Leone is supplied by British personnel, while only one-third of the technicians are people of Sierra Leone.

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INTERNATIONAL COOPERATION ADMINISTRATION



DR. JAMES D. SINGLETARY
Gets 2-Year Leave

Maryland Dean To Teach In Afghanistan

PRINCESS ANNE, Md. Maryland State dean, Dr. James D. Singletary, has been granted a two - year leave of absence by Dr. John Taylor Williams, president of Maryland State College, and has gone to Afghanistan to serve as teacher education advisor in Lashkar. The appointment was made through the Office of International Cooperation Administration.

It is the second overseas assignment for the Shore educator, having reviously served in Pakistan at Decca University, as Fulbright lecturer in history and education.

DR. SINGLETARY, a well-known lecturer and teacher-trainer consultant, is a product of the Buffalo, N. Y. public schools and the University of Chicago He has authored several publications in his field, notably: "The Education We Need" and "Promoting World Understandings." His appointment is one in a number of Asian - African assignments made by the O.C.I.A., in an effort to promote international goodwill and to raise the standards of teaching training methods.

DR. JAMES L. SINGLETARY, a dean at Maryland State College, has been granted a two-year leave of absence by Dr. John Taylor Williams, president of Maryland State, and has gone to Afghanistan to serve as teacher education advisor in Lashkar. The appointment was made through the Office of International Cooperation Administration. It is the second overseas assignment for the educator. He previously served in Pakistan at Dacca University as Fulbright lecturer in history and education. Dr. Singletary, a well-known lecturer and teacher-trainer consultant, is a product of the Buffalo, N. Y. public schools and the University of Chicago. He has also authored several publications in his field.



Dr. James Singletary

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INTERNATIONAL COOPERATION ADMINISTRATION
AND THE STATE DEPARTMENT

Teachers in African Aid Plan Score Briefing by U. S. Aides

The New York Times
P. 2 col. 1 - 14. 61

By MILTON BRACKER

Sharp criticism of briefing officers of the International Cooperation Administration and the State Department was expressed yesterday by a group of young college graduates a fe whours before they left to teach in British East Africa under I. C. A. auspices.

At New York International Airport, the 101 men and women heard a message from President Kennedy, who told them that "while in East Africa you will be viewed as representatives of the United States: your values will be construed as its values; your words as its words."

The group, however, complained of a lack of candor by the Government briefing officers on aspects of United States motivation and policy in Africa.

The graduates departed after three weeks of orientation at Teachers, College, Columbia University. The plan under which they had assembled was announced in Washington last Jan. 28. It was regarded as a kind of pilot project for the Peace Corps, and involved the training of about 160 volunteers. The I. C. A. is putting up $2,300,000 for the first three years of the program.

Experts on Africa Heard

During the intensive course, the trainees heard from outstanding professors in the African field They also discussed East African problems with visiting leaders — including Chief Minister Julius Nyerere of Tanganyika, who talked to them Wednesday night.

But for a total of about five hours, the group also heard, individually, three I. C. A. spokesmen and one 'ow level" office of the State Department. It wa explained that G. Mennen Williams, Assistant Secretary State for African Affairs, ha been scheduled to speak, bu had to meet a visiting Arica delegation instead.

Eight members of the grou and two faculty members o Teachers College agreed that the impact of the briefers on the audience as a whole was weak and even embarrassing.

When the question of Cuba was raised, one briefer was said to have remarked: "I'm just glad I'm not working in Latin American affairs."

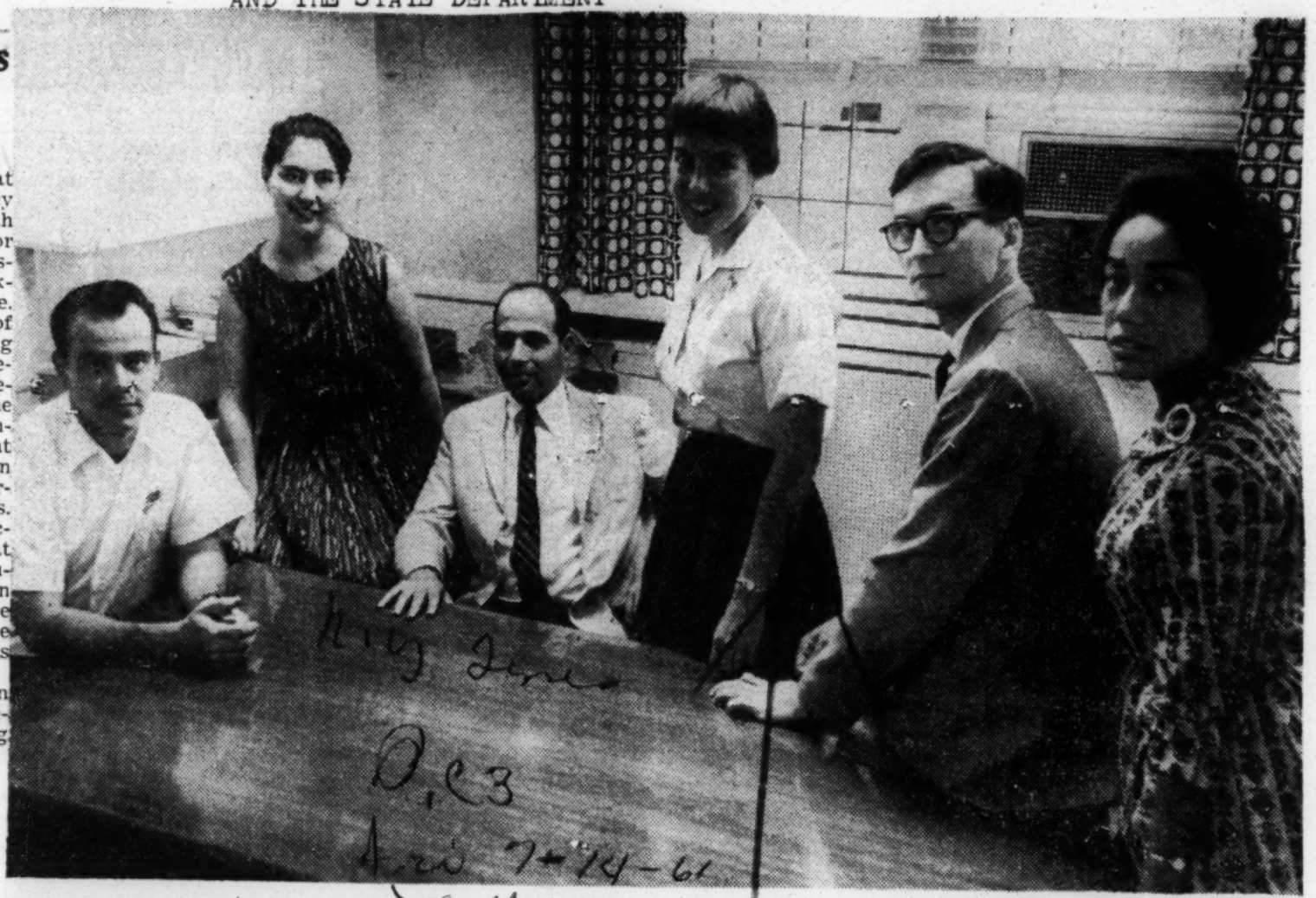
Ignorance Called a Factor

Some of the group said that queries on United States policy toward Portugal and South Afric were unanswered or evaded. One young man assered that "just ignorance" explained one briefer's attitude.

A conservative estimate of the eight spokesmen, including four women, was that the presentations had been "inadequate." At the same time, the group emphasized that the "unbriefing" by the Government officials had been more than compensated for by the thorough briefing by the professors.

Dr. R. Freeman Butts, director of international studies at Teachers College said the audience should have been told in advance not to expect the same unreluctant candor from the men from Washington as was shown by the professors.

One State Department man showed concern, it was said, because the session was being tape-recorded.



The New York Times (by Alvin Baum)

OFF TO TEACH IN AFRICA: A group of the 101 teachers who left yesterday for assignments in British East Africa. They are, from left: Joseph Malloy, Rosemary Armijo, Peter Buttenweiser, Sally Fetchmeyer, Norrell Noblen and Yvonne Powell. Group has completed three weeks training at Teachers College, Columbia University.

INTERNATIONAL COOPERATION ADMINISTRATION
SIERRE LEONE, BRITISH WEST AFRICA



AFRICAN ASSIGNMENT: Dr. Ernest Neal (r.), Intrenational Cooperation Administration reprseentative, chats with Teddy Jones, sophomore agriculture student at Tuskegee Institute, prior to his departure for the British West African colony of Sierre Leone early next year. Dr. Neal, on leave from his post at Tuskegee Institute, will assist the Sierre Leone government in an industrial development program. Mr. Jones is one of three foreign students from Sierre Leone enrolled at Tuskegee.

New Assignment —

Tuskegee Aide Gets African Post

Tuskegee Institute, Ala. — The industrial development of the British West African colony of Sierre Leone will be assisted early next year by the State Department through a staff of five technical specialists.

Headed by Dr. Ernest Neal, a represenatitive of the International Cooperation Administration (ICA), the team is slated to arrive in Freetown, Sierre Leone by January 15. Ten more technical specialists will join the team within a year.

Dr. Neal, on leave since 1954 from his post as Director of the Rural Life Council at Tuskegee Institute, has just completed a two-year tour of duty in Monrovia Liberia) where he was Deputy Commander of the ICA mission.

The current assignment in Sierre Leone is designed to help improve the colony's power-communication system, transportation system, and the development of health education in agriculture.

In addition to providing technical assistance in Sierre Leone, the ICA program provides grants that will support the training of technicians in the colony.

At least two-thirds of the technical assistance in Sierre Leone is supplied by British personnel, while only one-third of the technicians are people of Sierre Leone.

The major value of the ICA Foreign Mission program, says Dr. Neal, is the accelerated means of "modernizing the country through a democratic process." He indicated that the program results in increased participation of the local people in civic affairs.

A sociologist, Dr. Neal received the bachelor's degree from Knoxville College, the master's from Fisk University, and has done further study at the University of Michigan. He was awarded the honorary doctorate degree at Texas College in 1954.

Dr. Neal was Director of Community Development in India, 1954-56, and acted in the same capacity in the Philippines, 1956-58. other projects were sponsored by the ICA.

Several other persons of the ICA program are also due to be assigned to Sierre Leone, including Newton Randolph, chief executive; Clark George, program director; and Miss Margaret Halfpenny, secretary. The group will come from assignments in Japan, Korae, and the Philippines.

34c(1) 1961

INTERNATIONAL COOPERATION ADMINISTRATION
REPRESENTATIVE
REPUBLIC OF MALI, WEST AFRICA

DR. SAMUEL C. ADAMS, JR.

Dr. Adams Gets Representative To Mali Post

Birmingham World
Birmingham, Ala.
Date 3-17-61

WASHINGTON, D. C. — (NNPA) — Dr. Samuel C. Adams, Jr., who has been associated with the United States Mutual Security programs since 1952, was sworn in Monday as the International Cooperation Administration Representative to the Republic of Mali in West Africa.

34c(1)

Dr. Adams was born in Houston, Texas, in 1920 and holds A. B. and A. M. degrees from Fisk University and a Ph. D. from the University of Chicago. He studied at the University of Chicago as a John Hay Whitney Fellow and in 1957 took a special training course at the University of London's School of Oriental and African Studies and the London School of Economic and Political Science.

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Dr. Adams was assistant to the professor of sociology at Fisk for two years and from 1947-1950 he was director of Marion Cooperative Center Fundamental Education (American Missionary Association) in Marion, Ala.

During 1951-1952 Dr. Adams held the position of social science research assistant at the University of Chicago. He was the recipient of one of the 1957 Arthur S. Flemming awards. From 1944 1946 Dr. Adams served in the Army as a chaplain's assistant.

His first position under the Mutual Security program was as mass education specialist with the United States Operations Mission in Saigon. From 1955 to 1957 he served as chief education officer in Cambodia. From 1958 to 1960 he was chief education adviser to the U. S. Operations Mission in Nigeria.

Dr. Adams is married to the form-Evelyn Baker of New York City.

The Afro-American P.9
Sat. 7-29-61
Baltimore, Md.



34c(1)

A POINT OF INTEREST — David Cardwell, who recently completed his studies for the master's degree at Long Island University, Brooklyn, N.Y., shows his wife Phyllis, the area of East Africa where he will spend the next two years on an educational mission for the State Department.

Brooklyn teacher marks July as eventful month

The Afro-American P9

34c(1)

BROOKLYN, N.Y. — It has been an eventful July for David Cardwell of 44 Decatur St.

Sat. 7-29-61

Three weeks ago he was married. Two weeks ago he completed his studies for the master's degree in education at Long Island University. And on July 13 he left for a State Department assignment in East Africa.

Mr. Cardwell, 29, is one of 150 teachers who will participate in a pilot "Teachers for East Africa" project sponsored by the International Cooperation Administration, an agency of the State Department.

He will remain in East Africa for two years, teaching in the public schools there.

Baltimore Md.

Mr. Cardwell, who did his undergraduate work at Lincoln University, has been a chemistry teacher at Franklin K. Lane High School for three years, attending LIU's graduate school in the evening.

His bride, the former Phyllis Sydney of 185-1 Henderson Ave., Hollis, plans to join her husband in Uganda in September.

34c(1) 1961 INTERNATIONAL MISSION IN SUDAN PROF. GRANVILLE W. HURLEY
HOWARD UNIVERSITY

Howard U. Professor Tells How He Beat Sudan's Heat

The successful architect in the Sudan must plan houses that can withstand the chill of winter, when the temperature may plunge to the low 80's.

So this was given full consideration by Granville W. Hurley, a Howard University professor of architecture, during the 32 months he spent teaching building construction in the Sudanese capital, Khartoum.

Mr. Hurley returned to the United States in late July after serving with the International mission in Sudan since October, 1958.

Most of his time there was spent teaching at the Khartoum Technical Institute and serving as adviser to local architects planning projects to be erected with United States assistance.

"Some of the buildings constructed were apartment houses and schools for some of the government employes in Khartoum," Mr. Hurley said. "And in planning these buildings we had to be aware of the climatic conditions there.

118-Degree Days

Warm winter months and hot summers, when the temperature may soar to 118 degrees from May through July, make some form of air conditioning a necessity.

But electric power costs are so high, most of the air conditioning is provided by Mother Nature.

"The prevailing breezes in the Sudan blow north to south," said Mr. Hurley, "so houses are built to take advantage of the natural north-south ventilation."

Traditional social practices of the Sudanese are other factors Mr. Hurley considered in planning their homes.

Most Sudanese are Moslems. And many of them believe both sexes should have separate living quarters in the home for use when friends visit.

"When guests arrive," Mr. Hurley explained, "women are entertained in one section of the house while the men converse in another."

Accompanying Mr. Hurley to the Sudan were his wife Catherine and their son, Granville, jr., who attended the American University in Beirut, Lebanon, during the school months.

Learns Arabic

"My wife was a tremendous help in one phase of the work we were sent out to do—making friends," Mr. Hurley said. "She attended classes to learn Arabic and surprised our friends by using that language to make her farewell speech at a party for us in June."

"We found that we were able to establish a certain rapport with the Sudanese by making an attempt to learn their language."

Mrs. Hurley now is working on a vocabulary primer that will be useful to Americans who need to know some of the variations of Arabic as spoken by the Sudanese.

Both Mr. and Mrs. Hurley said one of the things that most impressed them was "the wonderful family life we saw in the Sudan."

"The fathers spend so much time with their children," Mrs. Hurley said. And she pointed out this was no mean achievement since "many families have 10 to 12 children."

"Perhaps that's the reason we didn't hear about a problem of juvenile delinquency there."

Only in Movies

Mr. Hurley indicated that juvenile delinquency and crimes of violence in Khartoum exist primarily on the screens of theatres showing American films, too many of which, he said, "do not give the Sudanese a true picture of American life."

Now that the family is home, at 1954 Vermont avene N.W., Mrs. Hurley is busy unpacking paintings and sculpture by Sudanese artists, while her husband completes preparations to begin his 28th year teaching at Howard.

Since his return to the United States he has been reminded that climatic conditions in Washington also pose problems for the architect.

"My problem is that Washington doesn't have the cooling breezes of the Sudan," he said, reaching for the air conditioner.



Prof. and Mrs. Granville W. Hurley recount their experiences during three years with the International Co-operation Administration mission in the Sudan.—Star Staff Photo.

APPOINTED- Atty.JAMES B. PARSONS
U.S. DISTRICT JUDGE FOR
NORTHERN ILLINOIS

34c(1) 1961

ILLINOIS

JUDGE PARSONS FORMER TEACHER

Feels Selection Breakthrough for Negro

By ROBERT GOLDENSTEIN

CHICAGO (AP)—Superior court Judge James Benton Parsons, the first Negro ever appointed to the US district court bench, is a former law school teacher and government prosecutor who regards the district court as "the cornerstone of justice in the United States."

And he feels his selection for the appointment is a "breakthrough for the Negro in the professions that serves to inspire the entire race."

Parsons, 49, is a soft-spoken, tall (6 feet 1½) and lean man who worked, borrowed and saved to pay the costs of a college education, a master's degree in political science and a doctor of law degree.

"I like all outdoor activity except golf," he said in an interview. "I never found myself financially able or with enough time to take up golf."

Parsons was born in Kansas City Aug. 13, 1911 and was taken by his parents to Decatur, Ill., where he attended public school. He was class orator and third in his graduating class of 360 at Decatur High school.

His speech was published and caught the eye of the late Howard Schaub, then owner and publisher of Decatur's afternoon newspaper, the Decatur Review.

Schaub offered him a job melting metal in the newspaper's composing room and loaned him funds from time to time to help finance his studies at James Millikin University and Conservatory of Music.

After graduation in 1935, Parsons joined the faculty of Lincoln university in Missouri for six years, serving successively as field agent, assistant to the dean of men, instructor in political science and head of the music department.

Each summer, during these years, he attended the University of Wisconsin graduate school in political science, where he obtained his master's degree.

From 1940 to 1942 he was a supervisor in the public schools of Greensboro, N. C.

Parsons spent four years of enlisted service in the U. S. Navy from 1942-1946, saving enough from his Navy pay to continue his education under the GI bill.

He enrolled in the University of Chicago law school and received his doctor's degree in 1949. The same year, he took a teaching job at the John Marshall law school in Chicago and also was appointed assistant corporation counsel for the city of Chicago.

Two years later he became an assistant U. S. district attorney in Chicago. He spent nine years in that position. He first handled all civil rights and selective service matters for the justice department in the northern Illinois district and later internal security and subversive activities matters.

He was elected judge of the Cook county superior court last September. Presently assigned to the criminal court division, he is presiding at the jury trial of seven policemen accused of looting stores with a confessed burglar. This scandal triggered a revamping of Chicago's entire police department.

Parsons lives with his wife and their 14-year-old adopted son in his mother-in-law's home on Chicago's south side.

Word of his expected appointment was circulated in advance by informed sources close to President Kennedy and the news spread rapidly in his neighborhood.

Parsons said that when these people meet him, many remark, "Now we have hope. Every colored boy and girl now say there's a chance."



Associated Press Wirephoto

'A Breakthrough'

President Kennedy has announced nomination of the first Negro ever to a lifetime appointment as a United States district judge.

Nomination of Superior Court Judge James Benton Parsons (above) of Chicago to be United States district judge for northern Illinois was announced Wednesday by the White House. The selection had been expected for some time.

A formal nomination will go to the Senate later.

In Chicago, Judge Parsons said he felt his selection was a "breakthrough for the Negro in the professions that serves to inspire the entire race."

Judge Parsons, a native of Kansas City, Mo., holds a doctor's degree from Chicago law school.



JAMES B. PARSONS
. . . appointed

JFK names Negro judge

WASHINGTON, Aug. 11 —(AP)— President Kennedy has announced nomination of the first Negro ever to a lifetime appointment as a U. S. district judge.

Nomination of Superior Court Judge James Benton Parsons, 49, of Chicago, to be U. S. district judge for Northern Illinois was announced by the White House. The selection had been expected for some time.

A formal nomination will go to the Senate later.

Parsons, a native of Kansas City, holds a doctor's degree from Chicago Law School.

SECTION 2
THE PITTSBURGH Courier



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The Pittsburgh Courier Pittsburgh Pa. Dat 1-25-64 Pg 1

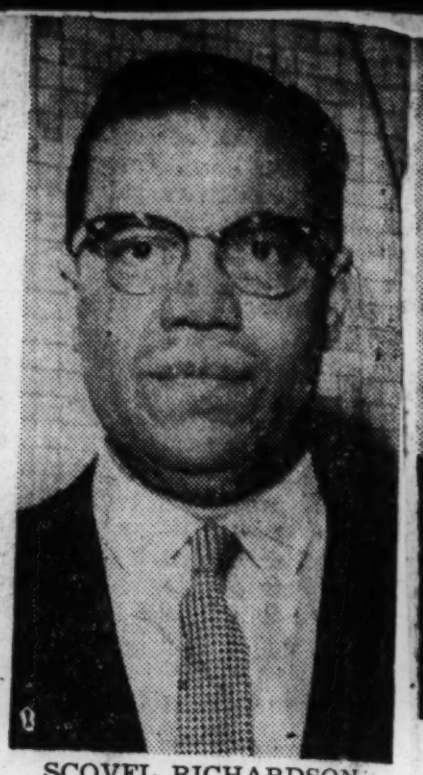
Celebrities were a dime a dozen during the fabulous open house held by Congressman William Dawson, Illinois Democrat, which was a social highlight of the inaugural activities in Washington. Here, Mrs. Christine Davis, one of Dawson's chief aides on the Congressional Committee on Government Expenditures, greets singer Lena Horne (right) and husband, Lennie Heyton, MGM musical director.—Cabell Photo



IRVIN C. MOLLISON
Customs Court Judge



HERMAN E. MOORE
Retired U. S. Judge



SCOVEL RICHARDSON
Customs Court Judge



WILLIAM L. DAWSON
Illinois Congressman

3 Of Attorneys Once Partners

Chicago Lawyers Honoring 3 Jurists, 1 Congressman

Journal and Guide 3-C-1
Norfolk Va.
Sat 2-4-61

CHICAGO — (ANP) — The Cook County Bar association will honor four of its members, three of whom are former law partners, at its 47th annual installation banquet Feb. 16, at the Palmer House.

The honorees are William L. Dawson, member of the U. S. House of Representatives from First Illinois Congressional district; Irvin C. Mollison judge of the U. S. Customs Court; Herman E. Moore, retired judge of the U. S. District Court, Virgin Islands, and Scovel Richardson, judge of tte U. S. Customs Court.

DAWSON, MOLLISON and Moore were partners in a law firm here many years before they became famous.

Mayor Richard J. Daley will deliver the banquet address. James B. Parsons, recently-elected judge of Superior Court of Cook County, will install new officers. Edward B. Toles, president of the Cook County Bar association, will present the awards to the honorees.

MOORE IS A past president of the association and was appointed judge of the Virgin Islands in 1939 by the late President Franklin D. Roosevelt and retired in 1957.

Mollison's father, the late Attorney, Willis E. Mollison, was the fifth president of the association in 1922. Mollison was the first Negro U. S. judge appointed to a lifetime position.

THERE ARE two other Federal judges, U. S. Court of Appeals Judge William H. Hastie and U. S. District Court (Virgin Islands(Judge Walter A. Gordon.

Richardson first was admitted to the Supreme Court of Illinois in 1938, and began practice in Chicago in 1938-39, before becoming dean of the Lincoln University Law School, St. Louis, Mo.

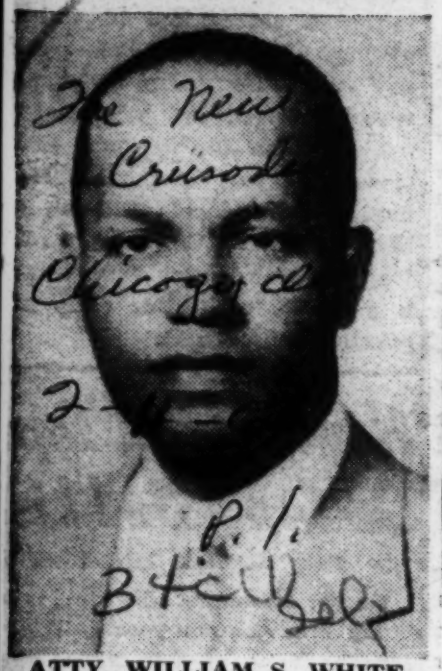
HE WAS appointed judge in 1957, by President Eisenhower. The historic event will mark for th first time three Illinois Federal judges being honored.

Congressman Dawson has been a member for 41 years since his admission to the bar in 1920, just six years after Edward H. Wright, the political leader, founded the association in 1914 and later was elected the first Negro ward committeeman.

THE COOK COUNTY Bar has been the leader in a campaign for Federal District court judges, and its president Edward B. Toles, who is to be installed, met with President John F. Kennedy prior to his election in Washington when the president assured Cook county Bar lawyers that there would be a far better representation of Negro lawyers on the Federal District Court bench.

Other officers to be installed with Toles are: Theries Lindsey, secretary, James D. Crosson, Edwin C. Hatfield and Russell R. DeBow, vice-presidents; Levi Morris, financial secretary; and James G. Lemon Jr., treasurer.

KERNER FINALLY NAMES NEGRO TO JOB



ATTY. WILLIAM S. WHITE

After much prodding by the New Crusader, Gov. Otto Kerner, this week, finally announced the appointment of a Negro to his cabinet when he selected Atty. William Sylvester White for his State Director of Education and Registration.

The Governor's belated recognition of the Negro's unequivocal support during the April primary and November elections, however is being hailed enthusiastically by the rank and file precinct workers, because Atty. White, though a scholarly and brilliant attorney, is representative of their efforts and loyalty to the party of Jefferson.

Although having served as an Assistant United States District Attorney under Kerner for eight years, then a States' Attorney of Cook County under Prosecutor Gutknecht, and finally as a $13,000 a year attorney for the City Department of Investigation, White has cherished most, his title of precinct captain.

For seven years he has manned a precinct in the fourth ward, which he has kept in the Democratic column with huge majority of votes cast. Because of his interest in serving the residents in his precinct, White is one of the ten top ranking precinct captains of the fourth ward of Democratic committeeman.

By JOE JEFFERSON

After Gov. Kerner was nominated over Joe Lohman, Atty. White organized a Citizens for Kerner Committee of which he was elected chairman. With the aid of such prominent business leaders as Mrs. Robert A. Cole, Earl Dickerson, Theodore Jones, George Harris, T. P. Harris, etc., the group raised approximately $7,000.00 which they contributed to Kerner-for-Governor Campaign Fund.

Because of Atty. White's undaunted and prodigious activity in behalf of the governor's campaign, many of his supporters expressed disappointment and bitterness when the Governor seemed to have been showing preference to Theodore Jones, whom it is reported had Gov. Kerner's sincere consideration for the all powerful post of Director of Public Works.

Because of his past performance in previous governmental appointments there is no question that Atty. Wm. Sylvester White will acquit his responsibilities in the $15,000 a year state post with honor and distinction.

It is rumored that Governor Kerner, in order to allay present suspicions as to his appreciation for his loyal Negro following, has reciprocal plans that will overshadow efforts displayed by all preceding governors of the State of Illinois.

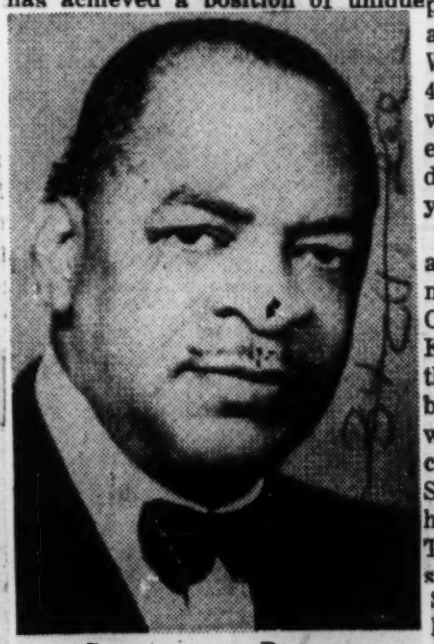
If such be the case, Gov. Otto Kerner may rest assured that he will have the unmitigated support of this publication and its staff.

President Kennedy In High Tribute To Congressman William L. Dawson

Washington, D. C. — "It is doubtful that ever a President of the United States has paid a higher tribute to a Member of the Congress" than President Kennedy recently paid to Congressman William L. Dawson, stated Congressman Barratt O'Hara this week.

He was referring to a telegram which President Kennedy sent to Edward B. Toles, president of the Cook County Bar Association on the occasion of the 47th annual installation banquet at which Congressman Dawson was one of the honorees.

In his message, President Kennedy referred to the honored Congressman as "a man who, through selfless dedication to principles and devoted service to his profession, his community, and the Nation has achieved a position of unique distinction in the life of political institutions of the United States."



Congressman Dawson

The President also extended sincere congratulations to the other honorees — Judge Irvin C. Mollison and Scovel Richardson, of the U. S. Customs Court, and Judge Herman E. Moore, retired, of the U. S. District Court of the Virgin Islands.

The President's message was inserted in the Congressional Record, Monday, by Congressman O'Hara on behalf of the dean of the Illinois delegation, Congressman Thomas J. O'Brien, and his colleagues from Chicago.

Gov. Kerner Names Negro To Cabinet Post

SPRINGFIELD — Gov. Otto Kerner, Tuesday, appointed two Chicago Negroes to top positions in his cabinet. Named a department director was Atty. William Sylvester (Syl) White, 46, of 5100 Ellis avenue, who will head the department of education and registration. The director's salary is $15,000 per year.

The second appointment is actually a reappointment. Commerce Commissioner Cyrus J. Colter was renamed by Gov. Kerner for what will be his third five-year term (as a member of the commission). Colter was originally appointed to the commission by Gov. William G. Stratton, in January, 1956, for his second five year term. This position, also, carries a salary of $15,000 per year. Stratton named Joseph Bibb, Negro as director of public safety in his cabinet.

White 46, succeeds Vera Binks. He is an attorney and deputy commissioner for the Department of Investigation in Chicago and was one of the first Negro officers commissioned in the U.S. Navy. He was recommended by Charles Browning, a former Defender executive now deceased, as an Asst. U. S. Attorney in 1937, and held that post—with time out for World War II—until 1954.

White is married to the former George Bridgeforth and has twin daughters, Marilyn and Carolyn, 16. The family resides at 5100 Ellis ave.

He is a member of Lincoln Memorial Congregational church, Cook County Bar association, Federal Bar association, NAACP, the Chicago Urban League, and the Fourth Ward Regular Democratic organization.

TWO NEGROES APPOINTED TO TOP POSITIONS IN ILLINOIS

Springfield, Feb. 25 — Two Chicago Negroes have been appointed to top positions in Democratic Gov. Otto Kerner's administration.

They are Atty. William Sylvester White and Commerce Commissioner Cyrus J. Colter.

White, 46, will be director of the Department of Registration and Education, marking the second time in the history of the state that a Negro has been named as a code department head. White will receive an annual salary of $15,000.

Colter, who was originally appointed to the commission by former Gov. Adlai E. Stevenson, in 1951, was renamed to the post by former Gov. William G. Stratton in January, 1956, for his second five-year term. The Kerner appointment will mark his third five-year term as a member of the commission. This position also carries a $15,000 yearly salary.

White, who succeeds Vera Binks, is an attorney and recently deputy commissioner for the Department of Investigation in Chicago and was one of the first Negro officers commissioned in the U. S. Navy during World War II. He is a former assistant U. S. attorney, serving from 1939 to 1959.

"I appreciate the confidence Gov. Kerner has reposed in me, and I am conscious of the significance of the appointment of a Negro in the position," White said. He considers the new job one of the most important tasks in his life.

White is married to the former George Vivian Bridgeworth. They have twin daughters, Marilyn and Carolyn, 15.

The appointment must be confirmed by the Illinois senate.

Colter, who is married, was captain of a field artillery unit in the Mediterranean sector during World War II, and later served with the judge advocate general's department.

Prof. Advises Ill. Legislature

BATON ROUGE, La. — One of the great services provided for legislative bodies in their writing of bills, acts and state laws is that of the research staff, which has as a primary function that of supplying background information and alternatives for action.

On such a staff for the Illinois Legislature is Dr. Twiley W. Barker, professor of Political Science at Southern university, now on special leave to the State of Illinois to serve one year in the capacity of research associates.

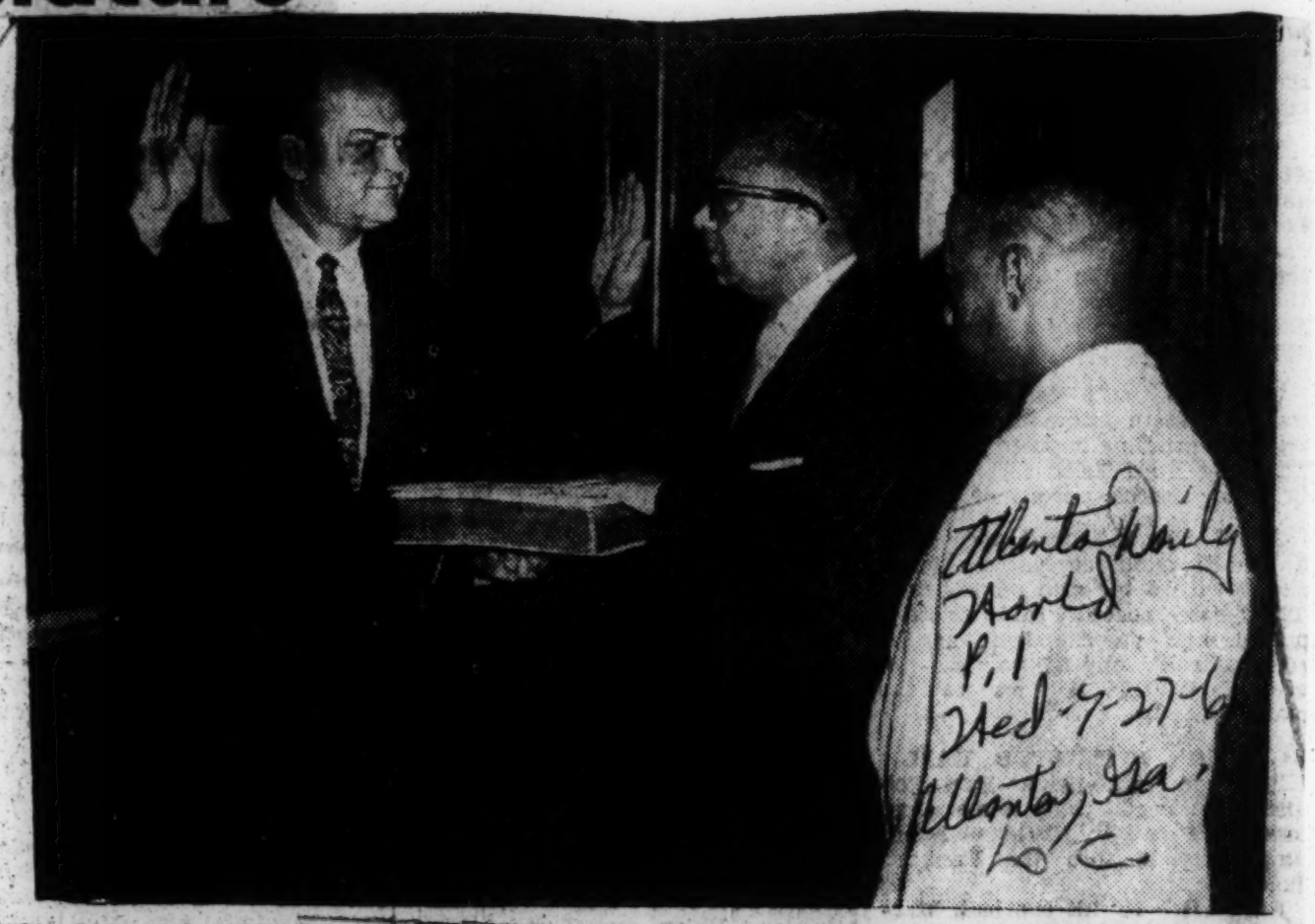
Among the chief items that Dr. Barker has compiled, research has been in the area of State Owned Liquor Stores. As a member of the Legislative council, the Southern University professor supplies data on specific information needed by members of the General Assembly.

He makes no recommendations relative to the consideration of legislation or particular policies apart from supplying background information and alternatives for action.

Having done his doctoral dissertation on State Liquor Monopolies in the United States at the University of Illinois, Dr. Barker, while a graduate student served as consultant to several sources seeking information on the liquor traffic.

A graduate of Southern university, 1948, Dr. Barker returned to the campus in 1949 with a MA degree from Illinois, later returning to Illinois for the doctors degree and back to Southern in 1955.

He is well known among sponsors of Bayou Boys and Bayou Girls States as he has worked with Dr. R. G. Higgins, the director, since the inception of the organization, as it is held annually on Southern's campus.



HIGH RANKING NEGRO APPOINTEE — The new Personnel Manager for the Post Office Department's Chicago Regional office, Henry W. McGee (center), is shown being sworn in by Deputy Postmaster General H. W. Brawley at the Post Office Department in Washington, D.C. Mr. McGhee, who will head personnel operations for one of the largest regions of the Post Office Department, Uncle Sam's largest civilian agency, is a career postal employee. He entered postal service at Chicago as a substitute clerk in 1929 and worked his way up through career ranks. His most recent assignment was as superintendent of Station E of the Chicago Post Office. He is 51, and lives at 1131 East 50th Street in Chicago.

34c(1) 1961

ILLINOIS

REP. WILLIAM L. DAWSON

Dawson Denies Switch

The Call

CHICAGO. — (ANP) — Rep. William L. Dawson, vice-chairman of the Democratic National committee and czar of Chicago's South Side wards, last week denied published reports that he threatened to switch from the Democratic to the Republican party if the Illinois General Assembly refused to approve the Congressional reapportionment map at its Tuesday (Oct. 10) session.

Pittsburgh Courier

Dawson, chairman of the House committee on governmental operations and a 10-term Congressional veteran, ... rily denied the reports of a possible party switch. He said such action "would be as remote to my thinking as East is from West."

Oct. 10-13-61

"Democrat From Conviction"

The 75-year-old congressman said, "I am a Democrat because it is the party for the working people. I am a Democrat from conviction.

"I have never even thought about making such a change. Even if there were no reapportionment map agreed upon, I will not become a Republican again—period."

Dawson was first a Republican leader in Chicago but switched to the Democrats in the 1930's.

The threat to Democratic leaders which Dawson denied making was:

"I don't care whether there are 10 Democratic districts in Cook county, or five. There's going to be a remap or else. I changed parties once and I can do it again. If I switch to the Republican side there will be a Republican mayor elected in 1963."

The Call

The task of drawing the new Congressional district map was assigned to the legislatures after the 1960 census showed a population shift.

Chi. 10-13-61

Loses One District

Because of the shift, Illinois became entitled to only 24 Congressional districts instead of the 25 from which its current delegation of 14 Democrats and 11 Republicans were elected in 1960.

If the General Assembly fails to agree upon a man setting up 24 new Congressional districts, all candidates for nomination and election for the 24 seats assigned to Illinois would have to run in the state at large.

It was conceded by professional politicians that, in such a case, some city candidates and Dawson, because he is a Negro, might be defeated by the downstate vote.

"I take my orders from the party's leadership. If I have to run at large, then I'll run at large and perform such campaign duties as may be assigned me," Dawson explained.

34c(1) 1961

'Impressed not awed' —Parsons

Sat 8-19-61

CHICAGO — Superior Court Judge James Benton Parsons is impressed, but not awed by his nomination by President John F. Kennedy to U.S. District Court judgeship.

Presently presiding over the trial of eight local policemen who have been indicted on charges of conspiring to commit burglary, Judge Parsons said of his nomination:

"I am impressed at this time by the confidence and approval I have continuously received over the years from Senator Douglas, Mayor Daley and Congressman Dawson for my performance and dedication to duty in the U.S. Attorney's office as well as in the Superior Court. I greatly appreciate the confidence of our President."

* * *

PRESIDENT KENNEDY sent the nomination to the Senate, last Thursday. Judge Parsons, if confirmed, will succeed the late Judge Philip L. Sullivan.

The nomination was referred to the Senate Judiciary Committee, of which Senator James O. Eastland of Mississippi is chairman. The 15-member committee also includes three other Southerners — Senators Olin Johnston of South Carolina, John L. McClellan of Arkansas, and Sam J. Ervin of North Carolina.

But the Parsons nomination is not expected to run into any difficulty in committee or on the Senate floor. The same committee quietly approved Cecil Poole to be United States Attorney at Francisco.

* * *

THE NOMINATION of Judge Parsons came as no surprise. It had been known for several weeks that Senator Paul Douglas, Illinois Democrat, was insisting upon a federal judgeship for Judge Parsons.

Senator Douglas, Mayor Richard Daley of Chicago and Rep. William L. Dawson endorsed the appointment. Two weeks ago Senator Douglas and Mayor Daley reached an agreement with President Kennedy that named to one of three vacancies in the Northern District of Illinois.

Upon confirmation, Judge Parsons will become the first colored person ever to serve as a Federal District Judge in the continental United States.

Sat 8-19-61

THE FIRST FEDERAL District Court judges were appointed in 1789. Since then a total of 1,053 have been appointed. But records in the Administrative Office of the United States Court do not show that any colored person was among that number.

Not even during the Reconstruction era was there a single appointment of a colored man as a Federal District judge.

There is now a total of 303 Federal District Court judgeships, not all of which are filled. There were 242 such judgeships before passage of the omnibus judgeship bill earlier this year, which added 61 to the existing number.

Three colored lawyers have served as Federal District judges in the Virgin Islands.

* * *

THEY ARE Judges William H. Hastie, who is presently a judge of the United States Third Circuit Court of Appeals at Philadelphia; Judge Herman E. Moore, who is retired, and Judge Walter A. Gordon, who is currently serving.

There are also two colored judges of the United States Customs Court. They are Judges Irvin C. Mollison and Scovell Richardson.

President Truman appointed Judge Hstie to the circuit court and Judge Mollison to the Customs Court. President Eisenhower appointed both Judges Richardson and Gordon.

* * *

JUDGE PARSONS was born Aug. 13, 1911, at Kansas City, Mo. He attended Millikin University at Decatur, Ill., working his way through college as a composit room laborer for the Decatur Herald Review Daily.

He received his bachelor of arts degree in 1934 and took a position as instructor and head of the music department at Lincoln University in Jefferson City, Mo.

From 1940 to 1942 he was music supervisor in the colored public schools of Greensboro, N.C. A veteran, Judge Parsons served as bandmaster in the United States Navy for three years.

* * *

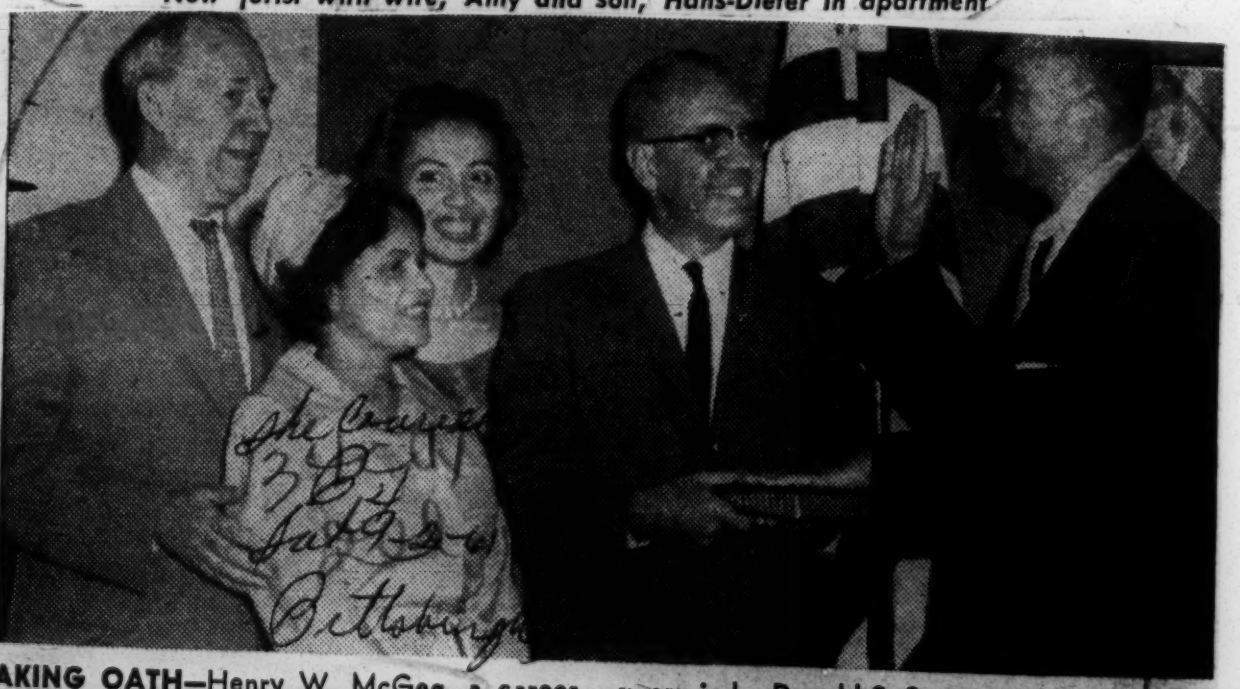
FOLLOWING THE war, Judge Parsons entered the University of Chicago and received his mster of arts degree in 1946 and a doctor of laws degree in 1949. He was admitted to the Illinois bar that same year.

From October 1949, to September, 1951, he was an Assistant Corporation Counsel in Chicago and also a partner in the firm of Gassoway, Crasson, Turner and Parsons.

Judge Parsons was appointed Assistant United States Attorney in Chicago on Sept. 24, 1951, and served as such until Aug. 31, 1960. Since that time he has been a judge of the Cook County Superior Court. He is presently presiding over the police burglary trial in Chicago. He is a Democrat, married, and lives in Chicago.



U. S. JUDGE JAMES B. PARSONS
New jurist with wife, Amy and son, Hans-Dieter in apartment



TAKING OATH—Henry W. McGee, a career postal employe with 34 years of service, took the oath of office and assumed duties as personnel manager for the Chicago region of the Post Office last week. Here he is shown being sworn in by Donald S. Swanson, regional director, as Douglas B. Anderson, Illinois representative for Senator Paul Douglas; Mrs. McGee and their daughter, Mrs. Sylvia C. Gibson, look on.



EARL DICKERSON

Dickerson named to Illinois FEPC

SPRINGFIELD, Ill.(ANP) —The president of a Chicago insurance company was one of five persons selected by Gov. Otto Kerner last week to serve as members of the newly created Fair Employment Practices Commission.

He is Earl B. Dickerson, 70, president and general manager of the Supreme Life Insurance Co. of America.

The FEPC, established by the 72nd General Assembly for the purpose of eliminating discriminatory employment practices, is composed of five members named by the governor—no more than three of whom are to be members of the same political party.

These members serve without pay, but will be reimbursed for necessary expenses incurred in the performance of their duties. These appointments are subject to approval by the Senate.

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ILLINOIS

U.S. JUDGESHIP

Parsons May Get U. S. Judgeship

Atlanta World 8/1

WASHINGTON, D.C. (NNPA)—Judge James B. Parsons of the Cook County Superior Court is one of three Chicagoans who have been approved for appointments to the Federal bench in Chicago, it was learned Tuesday.

Sat 8-5-61

Their names were agreed upon Monday in a conference here by Senator Paul Douglas, Illinois Democrat, and Mayor Richard Daley of Chicago with President Kennedy.

The three judgeships are part of the package of 73 judgeships created by the Congress and a number of vacancies which were created by deaths or retirements.

To date, President Kennedy has filled only five of the judgeships—four district and one circuit.

Atlanta Daily World

He named Federal District Judge Albert V. Bryan of Alexandria, Va., Monday to the United States Fourth Circuit Court of Appeals at Richmond. The 62-year old jurist will receive a salary of $25,500 a year.

No opposition to the appointment of Judge Bryan is expected to come from civil rights organizations. He presided over a number of the school desegregation cases arising in Arlington County, and Alexandria, Va., and showed a reluctant willingness to follow the Supreme Court decision in the school segregation cases.

He took the position that the decision requiring desegregation could be met by applying the same standards to both white and colored children and he limited the proceedings before him to an "administrative review" of the action of the school boards in rejecting applications of colored children for transfers to white schools.

Judge Bryan ordered the admission of some of the colored children whose cases came before him and sustained local school boards in rejecting the applications of others. He also delayed the effective dates of his orders for the admission of colored children into previously all-white schools.

A native of Virginia, Judge Bryan attended the University of Virginia where he received his law degree. He was admitted to the Virgin bar in 1920 and the District Columbia bar in 1921. He engaged in the private practice of law Alexandria from 1921 to 1947. He was a prosecutor from 1924 to 1928 and Commonwealth Attorney from 1928 to 1947. He was appointed a Federal judge on June 5, 1947. He is a Democrat.

Also approved for Federal judgeships in Chicago along with Judge Parsons were Hubert L. Will, chairman of Mayor Daley's Commission on Human Rights, and Chief Justice Richard B. Austin of the Cook County Criminal Court.

Mayor Daley was here Monday for a meeting with President Kennedy as a representative of the United States Conference of Mayors. It was known that they also met with Senator Douglas.

Senator Douglas earlier had been reported as insisting that a colored Chicagoan be among the new court appointees. Judge Parsons would be the first colored person elevated to a Federal District Court judgeship in the continental United States. Judge William H. Hastie serves on the United States Third Circuit Court of Appeals at Philadelphia.

There are three other colored Federal judges. They are: Judges Irvin C. Mollison and Scovel Richardson of the United States Customs Court and Judge Walter A. Gordon of the Virgin Islands District Court.

Judges Hastie and Mollison were appointed by President Truman, Judges Richardson and Gordon by President Eisenhower.

The other colored candidate mentioned for the Federal District Court bench in Chicago was George N. Leighton, an attorney and the only colored member of the Chicago bar Association's Board of Managers.

It was known that the Federal Bureau of Investigation had undertaken the customary check of the background of Judge Parsons.

Judge Parsons is presently presiding over a police burglary trial in Chicago.

NEGRO TO GET U.S. JUDGESHIP

The Times Picayune

Sources Say Kennedy to Make Appointment

Sun 8-6-61

HYANNIS PORT, Mass. AP)—President Kennedy has decided to name the first Negro in history to the United States District Court bench.

New Orleans, La.

The appointment will go to James Benton Parsons, now a Cook County (Chicago) judge.

Informed sources said Saturday Parsons' appointment will be announced formally next week.

Assistant White House press secretary Andrew T. Hatcher declined to make a formal announcement.

But he did say that Mayor Richard Daley of Chicago, Rep. William Dawson, D-Ill., a Chicago Negro, and Sen. Paul H. Douglas, D-Ill., "think Judge Parsons would make a good United States district judge."

"Judge Parsons is under consideration," Hatcher added.

There never has been a Negro federal district judge in the continental United States.

Four Negroes have been judges in the predominantly Negro Virgin Islands, but judges there are appointed for specific terms, instead of for a lifetime tenure, such as Parsons would have.

Judge William Henry Hastie of the 3rd Circuit Court of Appeals in Philadelphia, the highest judicial post ever attained by a Negro, is a former district judge in the Virgin Islands. He also is the first Negro to serve as governor of the Virgin Islands.

Another Cook County judge, Richard Austin also is in line for a federal district judgeship.

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ILLINOIS

DAWSON TOO BIG A HEADACHE; SO NEWSPAPERS TRY TO KILL HIM

By DAN BURLEY

The daily newspapers which are busy persecuting Congressman William L. Dawson in their avowed purpose to get rid of him or so weaken his influence and power among Chicagoland Negro voters so they won't be such a profound headache at election time and after, also have the parallel objective of vilifying the Negro community in order to make it appear unworthy of inclusion in the general life of a progressive city.

These newspaper trusts — the Tribune, Daily News, Sun-Times and American — are at heart — staunch Republicans and archly conservative when it comes to publicizing Negro Democrats. Which Dawson and most other Chicago Negro politicians are.

They think Negro voters should still be grateful to Abraham Lincoln and his party 97 years after Emancipation even though the Republican party underwent a whitewash in 1928 after Herbert Hoover got into the White House.

That Lilywhite Primary

Hoover and the multimillionaire supporters of the GOP, it may be recalled, worked out the framework of the Lilywhite Primary in the South to match that of the Lilywhite Primary of the Dixiecrats. That was when Hoover and his advisors thought it time to divorce the Republican Party from its great, loyal and loving Negro support which had stood rock-ribbed behind it ever since it proved the instrument of freedom from slavery.

It was not, however, until 1936 that the Negro voter awoke to the fact that he was not wanted by the Republicans any longer. In 1932, the American Negro voter still believed in the GOP as many of them do today.

Feared FDR Views

They were afraid of Franklin D. Roosevelt and it was not until 1936 after the FDR sponsored NYA, CCC, WPA and other federal projects designed to ease the impact of the Great Depression struck the first government blow at the color and discrimination lines in general employment, that the black vote swerved en masse into the Democratic column.

It has remained ever since despite the sneers and calumnities heaped on it by the daily press.

One of the prime architects in the Negro's future in the Democratic party has been Rep. Dawson, who like the majority of Negro political leaders has a Republican background.

No Future In GOP

Dawson and other Negro Republicans saw no future in the GOP for the black man and made the big changeover and that is why Dawson in Chicago, Adam Powell (he has always been a Democrat, however) in New York, and many others are being constantly smeared.

In the months preceding the last election Nov. 8, I happened to drop by Dawson's offices for a chat. As usual, he was on the phone. The long distance telephone and looking up for a moment, he said, "this is a Democratic national committeeman in Oklahoma. He wants me to send him a topnotch Negro political speaker to address a white rally."

Ask Him For "Names"

Subsequently he told me, showing many letters and telegrams, of how the National Democratic Committee felt about his work, that white state organizations, even in many portions of the South, were calling on him to make speakers available to them. And not just Negro speakers. They were asking Dawson to use his influence to send senators, congressmen and other big names to their meetings.

This, in itself, was unprecedented. Dawson reached this high plateau in the national affairs of the country through congressional seniority and above all, shrewd, astute applications of the basic principles of politics — the knowledge of people.

How He Won Masses

Because this knowledge has won the great Negro masses to him, his daily newspaper enemies are confounded. They thought it would be easy to "scare" the Negro vote from the side of Dawson if they threw their public endorsement behind some other Negro, Republican of course.

Having absolutely no knowledge at all of whom Negroes trust or do not trust among their own, the Tribune, Daily News, American and Sun-Times made wild guesses as to who they would support against Dawson and selected the poor fellow from among the dozens of names that fell from a hat.

Tried To Woo Jackson

That is how they came up with the name of Genoa S. Washington as their Negro Republican choice in the last election and that of George W. Lawrence in the election before that. They are ever said to have made overtures to the Rev. J. H. Jackson, pastor of Olivet Baptist church and president of the National Baptist Convention.

They have yet to learn that the Negro has pulled up the curtain on the Republicans and has at long last found out for himself what that party has in store for him. The Negro voter is aware of the crossing between northern and southern white "conservatives;" he now knows the GOP has adopted a national policy of "Do Nothing" when it comes to actual accomplishments of the civil rights goals of Negroes, although the Supreme Court under the Republican Eisenhower administration, did hand down the historic 1954 school integration decision.

The daily papers so busy smearing Dawson and the Negro community (as overrun with criminals, degradation and as the origin of slums) make it a policy never to say anything good about him. That they regard Negroes as being separate and apart from the rest of Chicago is to be seen in their so-called "Zone Sections" in which the news of the community is segregated from that of the rest of the city.

PAYES NAMED STATE PUBLIC WORKS CHIEF

Chicago Daily Tribune

Chicago, Ill.

Gov. Kerner Fills More Cabinet Posts

Wed. 2-8-61

BY GEORGE TAGGE

[Chicago Tribune Press Service]

Springfield, Ill., Feb. 7 — Gov. Kerner today neared completion of his official family by appointing additional so-called deserving Democrats to major posts, headed by William J. Payes Jr. of Barrington to be director of public works.

Payes, past potentate of Medinah temple in Chicago and nationally prominent in Masonic organizations, was state chairman of the Citizens for Kennedy committee in 1960. He is Democratic committeeman of Barrington township, where he owns West Mead farm. He heads Builders Ornamental Iron company, Frame Master, Inc., and Builders Lighting corporation. The public works department operates the huge highway system.



William J. Payes Jr. (left) and William S. White.



James W. Karber (left) and Cyrus J. Colter.

Appoints Chicago Negro

William S. White, a deputy to Irwin Cohen, Chicago Mayor Daley's commissioner of investigation, was named director of the department of registration and education. White was one of the first Negro officers commissioned in the navy. Enlisting as an apprentice seaman, he emerged from World War II as a lieutenant junior grade.

Republican Gov. Stratton broke the ice in 1953 with the appointment of the first Negro to an Illinois cabinet. He was Joseph D. Bibb, recently replaced by Kerner as director of public safety.

Lawyer Gets Air Post

Kerner appointed Jasper E. [Jack] Wenzel, Macoupin county lawyer and naval air force veteran, to be director of aeronautics. He is a specialist in labor legislation.

It was announced that James W. Karber, Gallatin county attorney and oil producer, will be a member of the state commerce commission with a five year term. Cyrus J. Colter, Chicago Negro Democrat appointed by Gov. Stratton, was given a new five year term. Both appointments were predicted by THE TRIBUNE several weeks ago. Karber is a former Democratic state central committeeman and state representative, sponsored by House Speaker Paul Powell [D., Vienna].

Heads Planning Agency

Victor de Grazia of Chicago, former executive secretary of the Democratic Federal cratic nominee for Congres in the 23d district.

Names Downstate Judge

County Judge Jack A. Alfeld of Carrollton was named assistant director of finance. He is former secretary of the Greene County Bar association. In World War II he served in the South Pacific as a sergeant.

Herbert M. Lowry, Rock Island county Democratic chairman, was given the assistant directorship of the department of public welfare, under Dr. Francis J. Gerty of Chicago.

Picks Party Treasurer

Joseph E. Knight of Dow, Jersey county, for many years a member and treasurer of the Democratic state central committee, was appointed assistant director of the department of financial institutions. He was a member of the commerce commission under Gov. Henry Horner and superintendent of the small loans division under Gov. Adlai Stevenson.

William E. Smith, Peoria county Democratic chairman, was named superintendent of parks in the conservation partment.

Dawson Scores With Pre-Inaugural Party

By GLADYS JOHNSON

WASHINGTON — Elder statesman Congressman William L. Dawson of Chicago, pulled a social coup with his exciting open house affair Wednesday night.

The fabulously mirrored penthouse in the Woodner hotel was the scene, more specifically known as "The Top of the Park."

From 9 p. m. until midnight a steady flow of guests swarmed into the penthouse. Given for out of town guests, the party attracted them in droves. So dense was the crowd that many did not see the elaborate buffet until the crowd thinned at the witching hour.

Reigning over the soignee cocktail fete was lovely Mrs. Christine Davis, swathed in gold lame' frock, cocktail in length, and edged with gorgeous gold jewelry, in the best tradition of good taste, and topped with a full length autumn haze mink coat at curfew time when she left with Col. Steve Davis.

Before repairing to the teeming corner where drinks were being dispensed, a steady thread of guests paid respects to Mrs. Dawson.

The guest roster: Mr. and Mrs. Louis Martin, Mrs. Martin in pale blue satin, short cocktail dress; and Mr. and Mrs. Edward Davis of Detroit, Mrs. Davis is carrying out a theme of royal blue for her entire inaugural wardrobe, now wearing a handsomely beaded royal blue cape frock with accessories to match.

Mrs. Prentiss Yancy of Atlanta, Ga., pretty Johnnie in gold lame' and black crepe and black diamond mink stole.

Mink-coated trio, Mrs. Harold Bledsoe of Detroit, Mrs. C. W. Preston of Detroit and Rep. Blanche McSmith of Anchorage, Alaska.

Atty. and Mrs. Oliver Hill of Richmond, Va. — it is said he is slated for something big in the new administration — Toki and Johnny Johnson of Pittsburgh; Jeri Majors of New York City; Loretta White of Cleveland; Ethel Harris of Pittsburgh, wearing flaming vermillion bordered with feathers.

George and Tommie Norford of New York — he is a NBC public relations man and rumors are that scholarly Tommie will be returning to the Washington scene.

Atty. and Mrs. Belford Lawson, Marjory denying rumors that she may be the ambassador to Denmark; Atty. and Mrs. Frank Reeves, he's the District's claim to the Democratic National Committee — urged the guest to stop at their week-long hospitality room in the Dupont Plaza; Joel and Ruth Adams, he of the Army career and she of Howard university school of social work; Marjory Hawkins of Howard university—the John Sengstackes of Chicago;

Lena Horne and Lennie Hayden — together — thereby spiking rumors of a rift. Lena was dazzling in black with scarlet jewelry.

Others were the Elmer Hendersons of Washington; Mrs. John Maxwell of Milwaukee with her daughter and son-in-law Congressman and Mrs. Charles C. Diggs, jr., of Michigan; George L. P. and Mary Weaver with her sister and brother-in-law, Dr. and Mrs. Darwin Belden of Detroit.

There was the Robert Mings of Chicago, Jesse Mann of Chicago, Atty. and Mrs. Vicor Ash of Norfolk, Va., Mr. and Mrs. Bill Oliver of Detroit; he's international representative of UAW-CIO.

Name Two To Top Posts In Illinois

SPRINGFIELD, Ill. — (ANP) Two Chicago Negroes have been apopinted to top positions in Democratic Gov. Otto Kerner's administration.

They are Atty. William Sylvester White and Commerce Commissioner Cyrus J. Colter.

White, 46 ,will be director of the Department of Registration and Education, marking the second time in the history of the state that a Negro has been named as a code department head. White will receive an annual salary of $15,000.

Colter, who was originally appointed to the commission by former Gov. Adlai E. Stevenson, in 1951, was renamed to the post by former Gov. William G. Stratton in January, 1956, for his second five-year term. The Kerner appointment will mark his third five-year term as a member of the commission. This position also carries a $15,000 yearly salary.

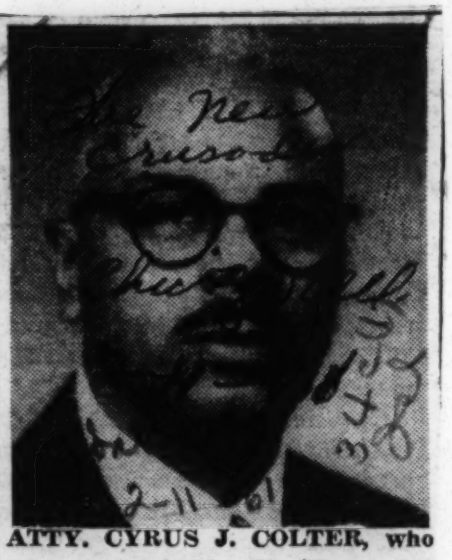
White, who succeeds Vera Binks, is an attorney and recently deputy commissioner for the Department of Investigation in Chicago and was one of the first Negro officers commissioned in the U. S. Navy during World War II. He is a former assistant U. S. attorney, serving from 1939 to 1959.

"I appreciate the confidence Gov. Kerner has reposed in me, and I am conscious of the significance of the appointment of a Negro in the position," White said. He considers the new job one of the most important tasks in his life.

White is married to the former George Vivian Bridgeforth. They have twin daughters, Marilyn and Carolyn, 15.

The appointments must be confirmed by the Illinois senate.

Colter, who is married, was captain of a field artillery unit in the Mediterranean sector during World War II, and later sedved with the judge advocate general's department.



ATTY. CYRUS J. COLTER, who was reappointed by Gov. Kerner for another 6 year term on the Illinois Commerce Commission at $12.000 per year.

Waterloo Attorney First Of His Race Appointed to High Administrative Post

Atty. William Parker of Waterloo, Ia., who has been prominent and active in Republican political circles during the past years, Tuesday was named to the Iowa State Board of Parole by Governor Norman R. Erbe.



PARKER

Parker who recently turned to the ministry in Waterloo, at Antioch Baptist church, has formerly served as assistant to the Republican state chanrman for Negroes in Iowa. He also was among the welcoming party at Cedar Rapids, when former President Dwight D. Eisenhower made an appearance in the state several years ago.

Practiced Law

Parker, 38, has practiced law in Waterloo since 1950. He is secretary of the Black Hawk County Bar Association, member of the Iowa Bar Association, on the board of directors for the Waterloo Salvation Army, a member of the Waterloo Chamber of Commerce, vice president of the Grant School P.T.A. and a member of Antioch Baptist Church. He belongs to several other service and fraternal organizations.

Des Moines Native

A native of Des Moines, he was graduated from East High School and received his bachelor's degree from Arkansas State College in 1941. He served 37 months in the Navy during World War II. He attended Drake University School of Law for one year and received his law degree from Rutgers University in 1949. He practiced law in Des Moines for one year before going to Waterloo.

Mr. and Mrs. Parker have three young son.

175 Attend Reception At Governor's Mansion

About 175 persons attended an invitational reception at the governor's mansion Sunday afternoon honoring Gov. Norman A. Erbe and Atty. William M. Parker of Waterloo, given by the Republican Citizens committee. Atty. Parker is the newly appointed member of the state parole board.

The receiving hostess and hosts were Mrs. Katherine Shelton, Mr. A. P. Trotter and Mr. L. P. McGuire. Mrs. Gwendyn Fowler and Atty. James B. Morris, Sr., received the guests and introduced them to honored guests in the receiving line, composed of Gov. and Mrs. Erbe, Mr. and Mrs. Parker and Mrs. Rose Johnson, co-chairman of the Republican Citizens committee.

Pouring at the beautifully appointed reception table in the dining room were Mesdames Roberta Frazier, Eunice Bates, Geraldine Draffin, Lulu Mae Harris, and L. P. McGuire. Others assisting in the dining room were Mesdames Georgine Morris, Iva Mae Hayes and Goletha Trotter. Mrs. Leola Hubbard registered guests. Cloakroom hostesses were Mesdames E. A. Gaiters and McClel Clinton.

Mrs. Fowler was chairman for the reception.

Iowa Negro On Parole Board

DES MOINES 2 (UPI) — The Iowa Senate Tuesday confirmed six appointments by Gov. Norman A. Erbe and one by the State Board of Public Instruction, including the first Negro ever to hold a state appointive office.

William W. Parker, 41, Waterloo attorney and Republican, is the Negro named to a six-year term on the State Board of Parole. Parker will replace Laurence M. Boothby, a former state Senator from Cleghorn, whose term expires June 30.

In nominating Parker for the $5,000 a year post, Erbe said he felt it was proper for a Negro to be on the board because of the high percentage of Negroes in the state penal institutions.

Parker has been active as a Black Hawk county precinct committeeman and a member of the by-laws committee of the County GOP Central committee. He served in the Navy during World War II.

Geo. W. West Is Candidate For Seat on City Council

George G. West, 6107 Harwood Drive, has announced his candidacy of a city council seat at the primaries in October and the election in November. Six candidates will be named in the primaries and three voted for in the final election.

In announcing his candidacy West said as a native of Des Moines he is thoroughly concerned with its needs for steady growth and ample facilities to serve the people adequately. His training and experience fit him admirably to represent all the people.

West holds the bachelor of arts and juris doctor degrees from Drake University and degree in finance from the University of Pennsylvania. He is a Phi Beta Kappa and has been given several honors in commerce.

West is a navy veteran, served as assistant attorney general in 1955-56 and now engaged in the practice of law at 801 Keosauqua. He is married and the father of one son.



GEORGE G. WEST

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KANSAS

KANSAS GETS FIRST ASST. U. S. ATTORNEY

Atlanta Daily World Atlanta, Ga
Wed 4-19-61 P. 1

KANSAS CITY, Kans. — (ANP) — Benjamin E. Franklin, assistant Wyandotte county counselor, has been appointed an assistant United States district attorney for Kansas.

The appointment was made by former Congressman Newell A. George, the Kennedy - named U. S. District attorney for Kansas. Franklin will work in the prosecution of federal law violators, and has been assigned to the district headquarters at Topeka.

Franklin is the first Negro appointed to a federal attorneyship in the 100-year history of Kansas and was appointed, according to George, because of "his demonstrated legal ability in private practice and as assistant county counselor.

The 38 year old Franklin has been practicing law in Kansas City, Kansas since he passed the Kansas Bar in 1954, having received his law degree in 1952 from the University of Detroit. He did graduate work at the University of Michigan.

FORMER ALABAMAN

The son of a physician, Franklin is the fourth child in a family of 10 children of Dr. and Mrs. J. A. Franklin of Mobile, Ala. He received his elementary and secondary education in Mobile and was graduated from Xavier university of New Orleans in 1947.

He served in the European Theatre of Operations during World War II with the Quartermaster Corps, and received four battle stars.

Franklin was appointed assistant county counselor in 1957. He is a member of the law firm of Meeks, Gray, Franklin and Whyte, his religion is Catholic, and he is vice-chairman of the NAACP legal redress committee. His fraternity is Alpha Phi Alpha.

Franklin and his wife, Pauline, are the parents of two children, Alicmarie and Benjamin, Jr.

Kansan To Assistant US District Attorney Job

Benjamin E. Franklin, assistant Wyandotte county counselor and prominent Democratic leader, has been appointed an assistant United States district attorney for the state of Kansas.

The appointment was made by former Congressman Newell A. George, the Kennedy-named U. S. district attorney for Kansas.

Franklin will work in the prosecution of federal law violators, and has been assigned to the district headquarters at Topeka.

Franklin, the first Negro named to a federal attorneyship in the 100-year history of Kansas, was appointed, according to George, because of "his demonstrated legal ability in private practice and as assistant county counselor."

George, identified with the liberal wing of the Democratic party, is known to favor the Kennedy administration policy of non-discrimination in employment.

Has Done Well

"In areas like sports and music when the Negro has had a chance he has done exceptionally well," George said. 'He can do just as well in other fields when the opportunity is present."

The 38-year-old Franklin has been practicing law in Kansas City, Kas., since he passed the Kansas bar in 1954, having received his law degree in 1952 from the University of Detroit. He did graduate work at the University of Michigan.

The son of a physician, Franklin is the fourth child in a family of the 10 children of Dr. and Mrs. J. A. Franklin of Mobile, Ala.

Receiving his elementary and secondary education in Mobile, he was graduated in 1947 from Xavier university of New Orleans, La., where his education was interrupted by a 30-month stay in the Army during World War II. He served in the European Theatre of Operations with the Quartermaster corps and received four battle stars.

Franklin was appointed assistant county counselor in 1957 and relinquished that position this week to assume his new duties immediately.

He is a member of the law firm Meeks, Gray, Franklin and Whyte. His religion is Catholic, and he is an ardent NAACP worker, now being vice-chairman of its Legal Redress committee. His fraternity is Alpha Phi Alpha.

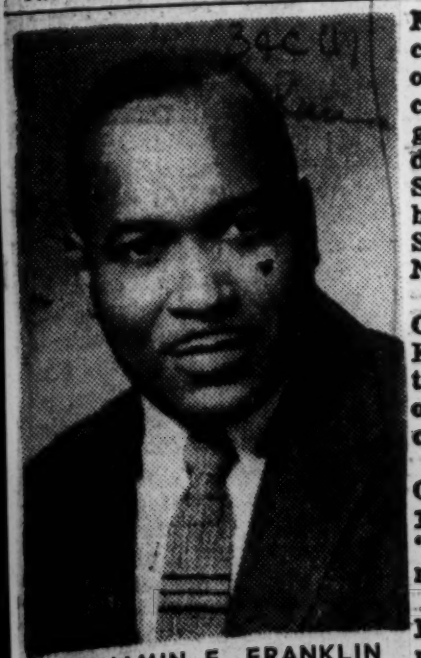
Served Two Terms

Active in Democratic politics, Franklin served two terms as vice-chairman of the Young Democrats of Wyandotte county. He was vice-chairman of the Democratics Congressional committee of the Second district, for Newell George for U. S. Representative, and was a member of the speakers' bureau of the Second district for the election of Newell George for congressman.

Franklin is vice-chairman of the Citizens Forum, treasurer of the Kansas City, Kas., Bar association, and a member of the Board of Directors of the Young Democrats of Wyandotte County.

He was one of the 24 citizens of Greater Kansas City presented 1961 awards last February for "outstanding services" to the community during 1960.

Married to the former Pauline Brooks of Detroit, Mich., they are parents of two children, Alicemarie and Benjamin Jr.



BENJAMIN E. FRANKLIN

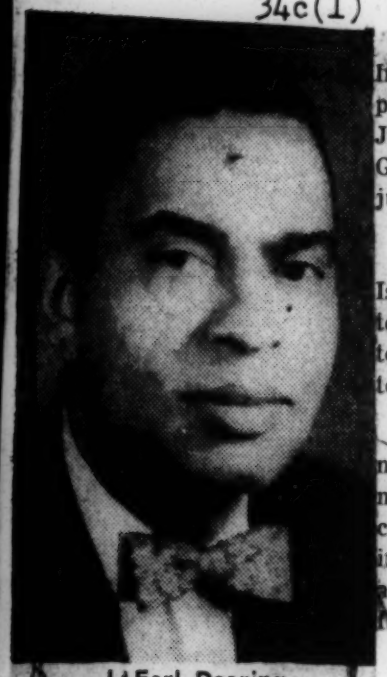


GETS POST — Benjamin E. Franklin, assistant Wyandotte County counselor and prominent Democratic leader, has been appointed an assistant United States District attorney for the State of Kansas. The appointment was made by former Congressman Newell A. George, the Kennedy-named U.S. District Attorney for Kansas. Franklin has been assigned to the district headquarters in Topeka.

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KENTUCKY

NOV.



J. Earl Dearing

J. E. Dearing Gets City Law Post

Attorney J. Earl Dearing 3418 Grand Avenue, has been named to fill the post of Domestic Relations Court prosecutor under the new Republican administration.

Dearing is president of the Ky. Chapter of the N A A C P and was a member of the steering committee in the recent desegregation drive that caused most of the downtown restaurants and theatres to admit Negroes.

Housing Suit

The attorney also handled the housing suit that resulted in the Louisville Housing Commision ending its segregation policies and allowing more than one race to live in a project.

Dearing is a graduate of Virginia Union, Richmond, Va., and Western Reserve University, Cleveland.

The appointee will work with Kenneth J. Newman, who will take over the afternoon Domestic Relations Court Friday.

Also named with Dearing were Irving Goldstein, Traffic Court prosecutor; Ray W. LeMaster, Jr., Night Court prosecutor, and George H. Kunzman, afternoon jury court.

Top Attorneys

In making his selections, Isaac R. Gumer, chief prosecutor-elect said that he had tried to select top young qualified attorneys from all walks of life.

"They and I," he said, "will not be interested in how much money we can collect for the city. We will be interested only in seeing that justice is done and that everyone receives a fair trial.

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LOUISIANA

Dr. Dent named to 2 advisory posts

NEW ORLEANS — Appointment of Dr. Albert W. Dent, president of Dillard University, to two high government advisory posts was announced, this week.

President John F. Kennedy has named the New Orleans educator to the national advisory council of the Peace Corps. The 33 - member council is headed by Vice President Lyndon Johnson and is charged with giving guidance to the program.



DR. ALBERT W. DENT

THE DEPARTMENT of Health, Education and Welfare announced Dr. Dent's appointment to the Federal Hospital Council, which advises the Surgeon General. The council's approval is required on regulations which implement the Hill - Burton Hospital and Medical Facilities Construction Program.

Dr. Dent served on the original Federal Hospital Council from 1946 to 1950, and has represented the United States as a delegate to the World Health Organization on three occasions.

34c(1) 1961

Dr. Nathan Pitts named to federal education post

BALTIMORE

United States Commissioner of Education Sterling M. McMurin, has announced the appointment of Dr. Nathan A. Pitts of Coppin State College, as program specialist in the Office of Education's International Education Division.

In his new post, Dr. Pitts will be chiefly responsible for coordinating the Office of Education's participation in the technical assistance program of ICA. This will include recruitment of education specialists and their orientation for duty overseas.

Dr. Pitts, 48, has been an educator for more than 20 years. From 1938 to 1942 he was principal of the Cardinal Gibbons Institute, Ridge, Md.

After that, he became instructor in sociology, North Carolina College, Durham. From 1950 to 1957 he was professor of social science, Coppin State Teachers College.

After a two-year absence, during which he was teacher training adviser to the ICA in Tabriz, Iran, Dr. Pitts returned to Coppin as chairman of the social science department.

* * *

HE RECEIVED the B.S. degree from Xavier University, New Orleans, in 1936. In 1944, he received the master's degree and in 1950 thea Ph.D., both from the Catholic University of America.

Dr. Pitts is married and lives with his wife and daughter at 2420 W. Lanvale St.



DR. NATHAN PITTS

No. 1 on list, but can't get post

BALTIMORE

The Baltimore Urban Renewal and Housing Agency has been charged with discrimination in employment.

Leveling the charge is Daniel L. Nicolas, an architect with 15 years experience in city planning and a master's degree in city and regional planning.

He has charged that though he qualified as number one in an examination for senior city planner with BURHA, the post has been left vacant ten months and no satisfactory reason has been given as to why he has been overlooked.

MARYLAND

On Tuesday, the NAACP Legal Redress Committee asked for an investigation and a hearing before the BURHA Commissioners.

The complaint was filed with the NAACP last week by Mr. Nicolas, who has been employed by BURHA as a City Planner for three years.

Mr. Nicolas is a graduate architect with a degree from the University of Haiti. He holds a master's degree from the Illinois Institute of Technology in City and Regional Planning.

In June, he qualified No. 1 after an examination, to fill the vacancy as senior city planner.

The position has a starting salary of $6,700 and a maximum salary of $8,500.

IN A LETTER addressed to Richard L. Steiner, BURHA executive director and members of the Commission, Mrs. Juanita Mitchell, secretary of the Legal Redress committee said:

"Mr. Nicolas complains further that there is so much dissension, poor morale and unrest among members of the planning staff that since February, 1961, six persons have resigned including registered architects and physical planners.

"He complains that since the beginning of his employment with the agency, 'subtle racial discrimination" has been directed against him resulting in his exclusion from staff meetings, almost total lack of delegated responsibility and authority and the placing of persons with fewer or no qualifications and less experience over himself."

Mrs. Mitchell also quoted Mr. Nicolas as saying, although he has been employed over three years, he is still receiving the starting salary for City Planner "while beginners without experience who are white ar hired and advanced over him."

Mr. Nicolas served as architectural draftsman at Sinai Hospital in Chicago and was resident engineer in Liberia in charge of government building construction.

He served as a first lieutenant during World War II.

On Thursday, Robert Moyer, director of information for BURHA, issued this statement on behalf of the agency:

"For an agency which has had an outstanding record for many years, of dealing with employees without discrimination, this is a most serious accusation and it will receive serious attention."

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MASSACHUSETTS



OATH OF OFFICE is administered by Governor Foster Furcolo to Mrs. Hazelle L. Ferguson, R.N., 41 Curve St., West Newton, who was appointed a member of the Board of Registration in Nursing. She is the first Negro to be named to the Board. Currently a clinical instructor and supervisor at the Boston Sanatorium, Mrs. Ferguson is a graduate of Boston City Hospital and the Boston University schools of nursing and has been a nurse at the Boston City Hospital for 20 years.

Boston Negro Attorney Gets State Post

BOSTON — (ANP) - Atty Harry J. Elam, who garnered 45,000 votes in a 1958 unsuccessful attempt to be elected to the Boston City Council, has been appointed by Gov John A. Volpe to be executive secretary to the Governor's council.

The position pays $8,000 annually.

Boston Attorney Gets State Post

BOSTON.—(ANP)—Atty. Harry J. Elam, who garnered 45,000 votes in a 1958 unsuccessful attempt to be elected to the Boston City Council, has been appointed by Gov. John A. Volpe to be executive secretary to the Governor's Council.

The position pays $8,000 annually.

Negro Named To High Court In Michigan

LANSING, Mich. (AP) — Otis M. Smith, auditor general, was appointed by Democratic Gov. John Swainson to the Michigan Supreme Court Monday. He is the first Negro ever to sit on the high state court.

Smith will replace Justice Talbot Smith, 61, of Ann Arbor, who will leave the supreme court Tuesday to take over a federal judgeship in the eastern district of Michigan.

Negro Justice Named in Michigan

LANSING, Mich., Oct. 9 (AP)—Otis M. Smith, state auditor general, was appointed to the Michigan Supreme Court today by Gov. John Swainson. He will be the first Negro ever to sit on the high state court.

Mr. Smith will replace Justice Talbot Smith of Ann Arbor, who will leave the Supreme Court tomorrow to take over a Federal judgeship in the Eastern District of Michigan. The justice is 61 years old.

At 39, Otis Smith will be the second youngest of the eight justices on the Supreme Court.

Mr. Smith, as a Flint lawyer, came to the attention of former Gov. G. Mennen Williams in 1957.. A few months later Mr. Williams named him public service commissioner.

Mr. Smith became the first Negro on the state administrative board when Governor Williams named him auditor general in September, 1959, after Frank S. Szymanski became a Wayne County probate judge. Mr. Smith was elected last year to a two-year term.

The appointment to the Supreme Court will run until the election in November.

Mr. Smith grew up in Memphis, Tenn., and worked as a messenger and porter in the Tennessee state capitol. He studied at Fisk University in Nashville and Catholic University in Washington, where in 1950 he won a law degree.



Otis M. Smith

Pelham appointed Detroit controller

DETROIT — Mayor-elect Jerome P. Cavanagh last week confirmed reports that fiscal adviser Alfred M. Pelham will become City Controller. The job pays $20,500 a year.

In his new position, Pelham would be the first of his race to occupy such a high administrative post in the history of Detroit. As budget officer of Wayne State University, he must be released by the University's Board of Governors.

PELHAM, ..CAVANAGH'S choice as fiscal adviser, said that he will continue in that capacity beyond Jan. 2 by accepting the job by city controller.

Pelham's acceptance had been expected since Cavanagh named his fiscal liason man to serve with the outgoing Mayor Miriani administration shortly after the election.

* * *

PELHAM, 61, asked Wayne State University for a one-year leave of absence to take the city job. Extensions of leave may be asked if both he and Cavanagh feel later that he should remain on, Pelham said.

The former Wayne County budget director has been budget officer at Wane State since 1957. He receives $13,000 a year from that job and $5,000 as co-ordinator of the Wayne County Capital Improvement Program.

He said he would resign the County position.

Michigan High Court Gets 1st Negro Judge

LANSING, Mich., Oct. 9 (UPI)—Gov. John B. Swainson today appointed Michigan Auditor General Otis M. Smith to fill a vacancy on the State Supreme Court. Smith, first Negro ever elected to a top office in the State, is also the first member of his race to serve on the high court.

Smith replaces Justice Talbot Smith, who resigned to take an appointment to the Federal bench as a Judge in Michigan's Eastern District.

Otis Smith, 39, was born in Memphis and practiced law in Flint before moving to Lansing as chairman of the Michigan Public Service Commission in 1957.

The new Justice was appointed Auditor General in September, 1959, to fill a vacancy and was elected to a full two-year term last November.

Otis Smith attended Fisk University and Syracuse University, and took his law degree at the Catholic University Law School. He is slated to receive the National Alumni Achievement Award in government from Catholic University on Nov. 18.



Associated Press

OTIS M. SMITH
. . . first Negro on Cour

Los Angeles Negro Gets Municipal Court Post

SACRAMENTO, Calif., Oct. 9 (UPI)—Mrs. Vaino Spencer, 41, of Los Angeles yesterday became the first woman Negro Municipal Court Judge in California history when Gov. Edmund G. Brown named her to the Los Angeles Municipal Court.

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MICHIGAN

OCTOBER
APPOINTED- SUPREME COURT
ATTY. OTIS M. SMITH

Negro Named to Michigan's Supreme Court

The Evening Star
P. A-10
Wash. D.C. 10-10-61

LANSING, Mich., Oct. 10 (AP).—Michigan Auditor General Otis M. Smith was appointed by Democratic Gov. John Swainson to the Michigan Supreme Court yesterday. He is the first Negro ever to sit on the State high court.

He will replace Justice Talbot Smith, 61, of Ann Arbor, who leaves the Supreme Court today to take over a Federal judeship in the Eastern District of Michigan.

At 39, Otis Smith will be the second youngest of the eight justices on the high court and one of the youngest in its history. The appointment caps a meteoric political career for Mr. Smith, who had established a series of firsts for his race in Michigan.

Caught Williams' Eye

Mr. Smith first caught the eye of former Gov. G. Mennen Williams in 1957 when he was a Flint attorney. A few months later Mr. Williams named him public service commissioner.

Mr. Smith became the first Negro ever to serve on the State Administrative Board when Gov. Williams named him auditor general in September, 1959, as Auditor General Frank S. Szymanski became a Wayne County probate judge. He was elected last year to a two-year term.

The appointment to the Supreme Court will run until the November, 1962, election. It leaves Democrats with a 5-3 majority on the court.

Won Degree at CU

Mr. Smith, tall and athletic looking, grew up in Memphis, Tenn., where as a boy he hawked newspapers to add to the family income.

He graduated from high school with a scholarship but didn't have the money to take advantage of it. Instead, he took a job as a messenger and porter in the Tennessee State Capitol. He saved enough for a year at Fisk University in Nashville.

Later he moved on to Catholic University in Washington, D. C., and received a law degree in 1950. He was converted to Catholicism at 16.

Catholic University will give him its national alumni achievement award in government next month.

Atlanta native named to Mich. merit board

The Afro-American
Baltimore, Md.
Sat. 4-8-61

DETROIT — Forrest T. Green, a native of Atlanta who came here in 1937 because he believed he had a future in Detroit, last week became the first of his race appointed to the Michigan Civil Service Commission.

The 46-year-old president of Michigan Barber School, Inc., is a graduate of Morehouse College.

His appointment to the non-salaried post runs to Dec. 31, 1968.

"I AM HAPPY about the post," said Mr. Green. "At the same time I realize I have a real responsibility. I intend to do the best possible job to merit the confidence of the governor and of the people of Michigan."

The commission appoints and promotes all state civil service employees. It also must approve all demotions or firings, as well as perform a host of other duties concerning state employees.

* * *

MR. GREEN, the father of three sons, worked for a while as barber and later as a social worker when he first came to Detroit. As a part-time employee, he became the first salaried staffer of his race at Franklin Settlement.

During World War II he was a supervisor at Great Lakes Steel Corp. until he was rejected for military service because of an football injury. He then opened the barbering school.



The Pittsburgh Courier
Sat. 4-8-61
3450

NEW APPOINTEE — Mrs. Anna Diggs, wife of Michigan's Congressman Charles C. Diggs Jr., is to be appointed assistant prosecutor of Wayne County, Mich., The Courier has been informed. Mrs. Diggs is slated to work in the domestic division.

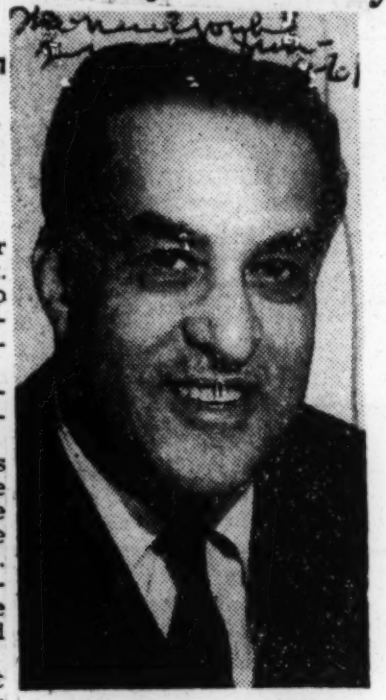
34c(1) 1961

MISSOURI

OCTOBER
CHESTER E. STOVALL-APPOINTED
DIRECTOR OF WELFARE

Negro Joins St. Louis Cabinet For First Time in City's History

Chester E. Stovall Is Sworn as Director of Welfare—Founded Newspaper



Chester E. Stovall

ST. LOUIS, Oct. 7—Chester E. Stovall, who came to St. Louis in 1934 to start a Negro newspaper, took the oath of office this week as the city's Director of Welfare.

He thus became the first Negro in history to hold a top cabinet office in St. Louis.

"What this appointment says to me is that a Negro does have the qualifications to help make the city a place where people want to live," Mr. Stovall said.

"This is a new level for Negroes to move in, tending to be a servant of all the people and not just one minority group.

"I'll always be conscious that what I do may have a bearing on what other Negroes in St. Louis have a chance to do. So you know I'll never play politics or do anything to damage my record."

Mr. Stovall, 53 years old, was appointed to the post by Mayor Raymond R. Tucker.

The St. Louis Call, the newspaper that Mr. Stovall founded, achieved a circulation of 21,000 before he entered military service in World War II. The paper, a weekly, folded then. Mr. Stovall intended to revive it after the war, but was sidetracked.

Instead, he took a temporary job as director of industrial relations for the Urban League of St. Louis. He liked the job so much that he stayed in it for ten years. During that period, Negroes made some of their greatest gains in breaking down employment barriers in the city. A great deal of the credit for this has been given to Mr. Stovall's steady influence.

At Mayor Tucker's request, Mr. Stovall became executive director of the Council on Human Relations in 1956. While he held that position, all municipal facilities and services of the city were opened to Negroes, and a law was passed outlawing segregation in business establishments serving the public.

Mr. Stovall is married and the father of two sons and two daughters.

Protest Appointment To St. Louis Post Office

ST. LOUIS, Mo. — The local NAACP chapter this week asked U. S. Senator Edward V. Long (D., Mo.) to hold up the appointment" of Harold Jinks to the position of regional operations director of the Post Office department here.

Margaret Bush Wilson, NAACP president, charged Jinks with being "directly responsible for initiating and promoting racial segregation in party affairs in the city of Little Rock (Ark.)."

She specifically cited an October, 1959, incident in which Jinks is said to have "arranged and publicly insisted upon a racially segregated Democratic dinner party at the Barton Coliseum in Little Rock.

"Senator Stuart Symington (D., Mo.) was invited as speaker," Mrs. Wilson continued. "Mr. Symington cancelled this speaking engagement, and local Negro Democrats informed the St. Louis press that prior to Jinks no such policy of segregation had existed at party affairs.

"The St. Louis Office is progressive and has a forward moving record in race relations and equal job opportunity," Mrs. Wilson added.

"We believe that a person with Jinks' views would bring to the office, for which he is being considered, ideas which would not be desirable and in keeping with the spirit and climate in St. Louis," she concluded.

Columbia Voters In Big Victory

By STAFF CORRESPONDENT

COLUMBIA, Mo. — The Negro citizens of the second ward rose up in indignation here in the recent city election and defeated Waldo Palmer, councilman, for the second ward. Palmer went down by the overwhelming vote of more than 6 to one for the position he had held the past six years.

Two Weeks To Work

The Negro citizens had only two weeks to get citizens informed and lined up for the vote after Palmer had lambasted Negro citizens in a meeting of the League of Women Voters two weeks prior to the voting on Tuesday, April 4.

It just happened that two Negro clergymen were present at the Daniel Boone hotel at the session of the League of Women Voters at which the candidates for various city offices were present and were questioned regarding their stand on certain matters.

The candidates were questioned by a CORE representative as to their attitude regarding the "Sit-ins" and the integration of Negroes in restaurants and other public places. Palmer was first to speak and said he was not for integration. He was quoted as saying: "If God had intended that all are equal, God would have made all people of the same color."

Negro Leaders Get Busy

Having heard Palmer's statement, the two Negro ministers who were persent at the League of Women Voters meeting got busy. The Rev. J. O. Bass, pastor of the Second Baptist church, and the Rev. D. P. King, pastor of the Russell Chapel CME church, joined together in the crusade. When Palmer made his statement, Rev. Bass immediately interrogated him sharply concerning his prejudicial statement. Palmer refused to budge an inch, notwithstanding the large Negro vote in the second ward which he represented as councilman.

The Revs. Bass and King were soon joined in the fight by two other Negro ministers of Columbia—the Rev. F. H. Coleman of the Second Christian church and the Rev. C. A. Shaw of the Methodist church. In the final count of ballots the Negro leaders received full support of the Negro voters and a few of the white voters, too.

In the 2B precinct, in which Negro voters live, Palmer was defeated by the margin of 294 to 45. In the over-all second ward race, I. L. Davis defeated Palmer by a vote of 676 to 318, a majority of 358.

Ministers Issue Statement

Three of the four Negro ministers of Columbia issued a joint statement. Their statement said:

"On last Tuesday, March 14, the Boone County League of Women Voters held its annual Candidates' Luncheon at the Daniel Boone hotel. To this meeting were invited all of the aspirants for public office in the forthcoming election (April 4). Each person was asked to address the audience in respect to his platform. Even those who did not speak were asked to participate in the question and answer period.

"It was during this period that our councilman, Waldo Palmer, seized the opportunity to reaffirm his position on the integration issue which can be seen in the following excerpts taken from the March 15 issues of the Tribune and the Missourian: 'I represent the Second Ward, the only dominant Negro residential ward in the city and I am not in favor of integration.'

"This is a continuing position of Mr. Palmer, one that he feels is supported by the Negroes in his ward. 'And it is not the local Negroes of Columbia who are causing trouble now,' says Palmer. He also asserted that his position is supported by natural and Biblical law.

"It is at this point that we, the ministers and members of the Negro group, challenge the authenticity of Mr. Palmer's statements on two counts: First, he is not God's spokesman, and secondly, he does not represent the majority of Negroes if he feels that they do not want first-class citizenship of which integration is a by-product.

"We feel that the members of the second ward want a representative who will uphold the Constitution of the United States and the state of Missouri and the ordinances of the city of Columbia, even if legal mandates are handed down that are against one's private prejudices.

"We feel that we do not have this kind of leadership in the second ward.

"Therefore, be it resolved, that we shall not support the encumbent, Waldo Palmer for re-election as councilman for the second ward.

"Be it further resolved that we shall use every constructive measure at our disposal to secure the election of I. L. Davis as councilman for the second ward."

This statement bears the signatures of Revs. Joseph O. Bass, Delutha P. King and C. H. Shaw.

Negroes Turn Out Largely

As the balloting date drew near, Palmer realized that his chances for re-election were very poor. He tried to warm up to his Negro friends but they turned him down. Palmer then tried to talk with some of the Negro leaders by telephone when he saw that he was fighting a losing battle. Some of his other relatives called the Negro ministers and other leaders over the telephone to try to get them to switch to the other side. But all of this was in vain and Palmer was overwhelmingly defeated.

One Negro leader said: "He who laughs last, laughs best! Palmer had his day and fell down miserably on the job! The Negro voters of the second ward are to be commended for how well they turned out and turned down Palmer whose boast was that he was against Negroes."

Chester Stovall To $12,155 City Post

ST. LOUIS. —(ANP)— Mayor Raymond R. Tucker last week appointed Chester E. Stovall director of welfare. He is the first Negro to hold a top administrative position in city government.

Stovall, who succeeds Bernard F. Dickmann, former mayor and postmaster, Oct. 1 for the past five years has been executive secretary of the city's council on human relations.

Stovall, 53, "will bring outstanding ability and interest to his new post," Mayor Tucker said. His annual salary will be $12,155.

New Welfare Post Duties

Kansas City Mo.

BY R. C. FISHER

ST. LOUIS. — (ANP) — Chester E. Stovall, newly appointed director of welfare of the city of St. Louis, assumed the duties of his department, for which the sum of $1,957,355, has been budgeted for the coming fiscal year.

Also, on Jan. 1, of next year, his salary will be raised to $12,763.40, as the second 5 percent salary increase becomes effective. The welfare department embodies the division of adult services, including the legal aid bureau; the legal defender's bureau; the department of probation and parole and the City Jail and Workhouse.

Recently appointed by Mayor Raymond R. Tucker, Stovall is the first Negro to hold a top administrative post in the City government, and succeeds former Mayor Bernard F. Dickmann as Welfare director. For the past five years Stovall has been executive secretary of the City's Council on Human Relations.

Stovall's department also oversees the division of children's services, which incluudes the board of children's guardians, Meramec Hills home for girls—and Missouri Hills home for boys.

He was director of industrial relations for the Urban League for 10 years prior to his appointments on the Couicils of Human Relations.

Appreciates Hig Honor

"I have certainly enjoyed my five years wit' the Council," Stovall said. "Especially since we passed the public accommodations bill, which gives a more open image of St. Louis to the country. In joining the department of welare. I consider it a high honor."

Stovall is a graduate of Kansas State University and the University of Chicago. He was editor of the St. Louis Call from 1935 to 1942 and was a Coast Guard officer for four years in World War II, serving in the Northwest Pacific.

He is past president of the Missuri Association for Social Welfare. He is a member of the Frontiers of America and was co-chairman of the 1958 Greater St. Louis United Negro College fund drive.

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Many attend induction of first Camden judge

By WILDA SMITH

CAMDEN, N.J. — Dignitaries from many sections of the state and nearby Philadelphia attended ceremonies in City Hall when Edward A. Reid, former assistant district attorney, was sworn in as the first judge of the Juvenile Domestic Relations Court on Wednesday.

More than 200 friends and well-wishers crowded Court Room 1 to witness his induction.

Setting up the special court in Camden County was occasioned by a "back-log" in Judge Benjamin Dzick's court, who had been hearing such cases, in addition to those of a criminal nature.

State Senator Joseph Cowgill brought the matter to attention of the County Board of Freeholders, resulting in nomination of Mr. Reid by Governor Meyner. Senator Cowgill recommended the appointee.

* * *

THE SPACE IN front of the judges' bench was lined with floral tributes. Judges of the County, Superior, and United States' District courts graced the occasion. The majority of them gave verbal tribute to Mr. Reid. The majority referred to him as Ed, having known him, personally, from twenty to thirty years.

County Prosecutor Norman Heine, on whose staff Judge Reid had been serving, spoke in glowing terms of his former aide.

Presented for a bow, and receiving profuse applause was Judge Theodore Spaulding, of the Philadelphia Court of Common Pleas, of Philadelphia. Administering the oath of office was Federal Judge Shalig. Onlookers from the judiciary included County Judges Mitchell H. Cohen, nominee for the Superior Bench; Anthony Mitchell, Edward A. Martino, of the District Court; Superior Court Judge Burton, and others.

Mr. Reid spoke words of appreciation. He thanked Senator Cowgill, and Governor Meyner, especially, and all others who had anything to do with his appointment. Before serving on the prosecutor's staff Judge Reid had been an Assistant District attorney.

* * *

AMONG other prominent persons who witnessed the ceremonies were Mrs. Reid, Jersey Joe Walcott, a special policeman of Camden; City Detectives Golden, Pete, Sunkett, and Nathaniel Nato Jones; Police Sgt. William Troutman, Martin Segal, county sheriff; Freeholder Michael J. Conroy, Madison Morton, and James O. Mayfield, both county probation officers;

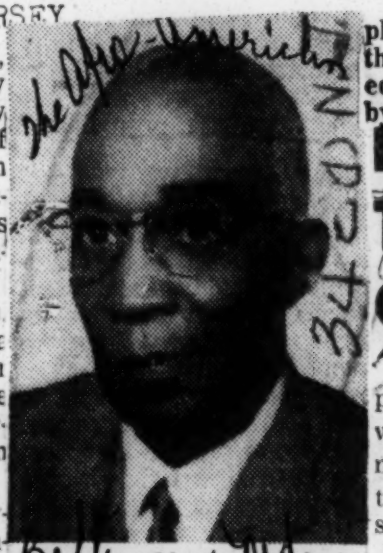
School principals Josiah Conwell, and Mrs. Conwell; George L. Eggleston, Mansfield Finney, Robert T. Johnson, of the elementary schools; and Walter L. Gordon, Hatch Junior High principal; Mrs. Robert Butler, high school guidance supervisor, all of Camden; Mrs. Phillip Williams, of Moorestown, a retired teacher; Mrs. Julia Stratton, of Philadelphia, Camden teacher; Messrs. and Mesdames William C. Wingate, C. Percy White, prominent Philadelphians;

Herman Natal, Mesdames Catherine Buell, Ruth Allen, Dorothy B. Jones, secretary in Judge Reid's private law office; Lillian Moore, of Merchantville, Camden teacher; Daisey Rourke, retired County Prosecutor's secretary, and a host of others.

Judge Reid will hear cases on a part-time basis at a stated salary of $9,000 per year. He will sit only three days weekly, and will be permitted to continue his own private practice of law.

Other county judges, serving full time, and relinquishing their private businesses receive $20,000 to $22,000 per year.

NEW JERSEY



CAMDEN JURIST—Judge Edward A. Reid, Camden, of the Domestic Relations and Juvenile Court, is completing his first month on the bench. He was appointed to the newly created post by Gov. Robert B. Meyner.



NEW JUDGE TAKES OATH—Senator Joseph Cowgill (left) shakes hands with Mrs. Edward Reid, following swearing in of her husband as the first Juvenile Court jurist in Camden last Wednesday. Looking on (second from left) is Judge Theodore Spaulding of Philadelphia, who was among the many friends who attended the induction ceremonies.

Negro Named To N. Jersey Court Bench

TRENTON, N. J. (ANP) — A precedent was established here when Gov. Robert B. Meyner named William Fillmore Wood to the Superior Court, the state's second highest judicial body.

If confirmed by the State Senate, Wood would become the first Negro to serve in such a high judicial post in New Jersey.

The highest ranking Negro judge in New Jersey now is Roger M. Yancey of Newark.

Negro Named To Superior Court Bench

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If confirmed by the state senate, Wood would become the first Negro to serve in such a high judicial post in New Jersey.

The highest ranking Negro judge in New Jersey now is Roger M. Yancey of Newark, who was appointed to the Essex County Court by Gov. Meyner in 1956. Superior Court is the state's second highest court.

Wood, a Republican, is 47 years old and a native of Jeterville, Va. He was graduated from Plainfield high school with honors in 1933, from Columbia college in 1937 and from Columbia Law school in 1940.

While at law school he served as associate editor of the Columbia Law Review.

He was admitted to the New Yark bar in 1940 and to the New Jersey bar in 1941. He joined the State Alcoholic Control Commission in 1940 and continued to practice law in both states for some time thereafter.

In World War II he enlisted in the Army Air Force and served as a staff sergeant.

He returned to the Alcoholic Control Commission and is now a prosecutor for the commission.

He is married to the former Sarafrances Steele of Plainfield. They have two children, William Fillmore jr. 14, and Beatrice, 11. Wood is a moderator in the Congregational church.

Gov. Meyner, a Democrat, named a Republican in accordance with the tradition in New Jersey to keep the 44-member Superior Court as evenly balanced politically as possible.

Gov. Meyner, the first New Jersey governor to place Negroes in high judicial posts, lauded Wood as an excellent lawyer with a distinguished legal background.

Meyner Names Negro as Judge Of State's Second Highest Court

Special to The New York Times

TRENTON, May 1 — Gov. Robert B. Meyner named William Fillmore Wood of Plainfield today to the State Superior Court. If confirmed by the State Senate, Mr. Wood would become the first Negro to serve in such a high judicial post in New Jersey. The highest ranking Negro judge in New Jersey now is Roger M. Yancey of Newark, who was appointed to the Essex County Court by Mr. Meyner in 1956. Superior Court is the state's second highest court.

Mr. Wood, a Republican, is 47-years old and a native of Jetersville, Va. He was graduated from Plainfield High School with honors in 1933, from Columbia College in 1937 and from Columbia Law School in 1940.

While at law school he served as associate editor of the Columbia Law Review.

He was admitted to the New York bar in 1940 and to the New Jersey bar in 1941. He joined the State Alcoholic Control Commission in 1940 and continued to practice law in both states for some time thereafter.

In World War II he enlisted in the Army Air Forces and served as a staff sergeant.

He returned to the Alcoholic Control Commission and is now a prosecutor for the commission.

He is married to the former Sarafrances Steele of Plainfield. They have two children, William Fillmore Jr., 14, and Beatrice, 11. Mr. Wood is a moderator in the Congregational church.

Mr. Meyner, a Democrat, named a Republican in accordance with the tradition in New Jersey to keep the forty-four-member Superior Court as evenly balanced politically as possible.

Mr. Meyner, the first New Jersey Governor to place Negroes in high judicial posts, lauded Mr. Wood as an excellent lawyer with a distinguished legal background.

34c(1) 1961

Wagner Staves Off Revolt on Borough

By CHARLES GRUTZNER

Mayor Wagner succeeded yesterday in putting off the election of a Manhattan Borough President until Tuesday despite the efforts of half the Manhattan members of the City Council to go ahead with the election.

This gave the Mayor ninety-six hours in which to try to avert a political setback. The leading candidate for election at yesterday's scheduled meeting was Assemblyman Lloyd Everett Dickens. Mr. Dickens would have owed his election to the help he received from Carmine G. De Sapio, with whom the Mayor has conceded he has split.

Although Mr. Wagner had announced on Thursday night a postponement of the election without date, five of the Manhattan Councilmen showed up at City Hall yesterday morning.

Three of them, John J. Merli and Daniel S. Weiss, Democrats, and Stanley M. Isaacs, Republican-Liberal, questioned the Mayor's power to postpone the meeting. The City Charter required him to summon the six Manhattan members of the Council to elect a successor to Hulan E. Jack, who forfeited the Borough Presidency upon his sentencing on conflict-of-interest charges.

The three men sought to prevail upon Democratic Councilmen Earl Brown and Samuel Davis, who arrived later, to go ahead with the election in the Mayor's absence. The four Democrats present reportedly favored Assemblyman Dickens. Four votes are enough to win the election.

Since Mr. De Sapio, the Democratic county leader, reportedly had persuaded Councilmen Merli and Weiss to support Mr. Dickens, the election of Mr. Dickens to the patronage-rich post would have put Mayor Wagner at a disadvantage in the campaign to depose Mr. De Sapio.

Councilmen Brown and Davis, who were said to have visited the Mayor at Gracie Mansion earlier in the morning, were uncommunicative, evidently uncomfortable and reluctant to take part in the rump meeting.

NEW YORK

Election of a Successor to Jack Is Postponed



Manhattan Councilmen Daniel S. Weiss, left, John J. Merli, center, and Samuel Davis, all Democrats, discuss matter of choosing successor to Hulan E. Jack as Borough President.

Then the Door Closed

Before the situation reached the comic-opera stage, Jacob Lutsky, the Mayor's legal aide, corraled the five Councilmen into the Deputy Mayor's office and closed the door.

When they emerged, after Mr. Lutsky had talked on the telephone to the Mayor, who was still at Gracie Mansion, Mr. Isaacs said that the Councilmen had agreed as a courtesy to the Mayor to postponement of the election until 10:30 A. M. on Tuesday.

Councilman Louis Okin, a Democrat, did not go to City Hall, but was understood to have talked with the Mayor. Mr. Okin had conferred with Mr. De Sapio on Thursday.

When the Mayor arrived at City Hall at 2:40 P. M., he was asked if any of the Manhattan Councilmen had been to see him at Gracie Mansion yesterday morning.

"They might have been, yes," he replied, then hurried upstairs to a Board of Estimate meeting.

The Mayor had said Thursday night that he was postponing the election because heavy snow and a transportation snarl might demand his attention Friday morning. He was asked yesterday afternoon if thhe possibility of Mr. Dickens election might have had something to do with the postponement, too.

He repeated the snow considerations, then added that it would be "good to have a little more discussion."

Mayor Parries Questions

The Mayor parried a question as to whether he thought Assemblyman Dickens was qualified for the Borough Presidency. He said he would have to talk to the Assemblyman to find out his views on the city government before he could answer that. He said he had "no idea" whether Mr. Dickens was a De Sapio candidate.

Mr. Wagner said it was "pretty obvious" there was a wide break between himself and Mr. De Sapio. The Mayor said he had no candidate of his own for Borough President "at this point."

He said he felt the office was open to "anybody who's qualified" and not only to a Negro. Mr. Jack is a Negro, as is Assemblyman Dickens and every candidate who has been seriously mentioned.

"What we want to do is select the best type of man," said the Mayor. "The new Borough President will be chosen by the Councilmen."

Mayor Wagner can cast the deciding vote on a candidate only if there is a 3-3 tie among the Councilmen. Councilman Isaacs said yesterday that if any three of the Democratic members agreed on "a first-class man" he would cast his vote with them to assure the election of such a candidate, regardless of party.

If the Democrats failed to come up with such a candidate, said Mr. Isaacs, he would cast his vote "for such a candidate as I deem qualified." The Minority Leader thus set at rest reports that he might abstain from voting.

Louis A. Cioffi will remain Acting Borough President until Mr. Jack's successor is elected. If the vote of the Councilmen comes out 3-2-1, or any other combination outside an absolute majority or tie, Mr. Cioffi could remain in office until the end of this year.



The New York Times

Councilman Earl Brown, who is another Democrat, also is present at City Hall.

Powell Wife Wins Raise Of $9,000

WASHINGTON (AP) — House payroll records indicate Rep. Adam Clayton Powell, D-N.Y., has kept his new wife on his congressional payroll—at a $9,000 increase in salary.

The records show that last December, Y. Marjorie Flores was receiving $256 a month, next to the lowest-paid member of Powell's staff.

The records for January list Y. Majorie Flores on top, at a monthly rate of $1,009.

Powell, 52, was married Dec. 15 in Puerto Rico to his 29-year-old secretary, whose name at that time was given as Ivette Diago. It was her second marriage and Powell's third. A New York associate of Powell said the congressman's new wife also was known as Yvette Diago Flores.

Efforts to reach Powell and his wife were unsuccessful Wednesday and other members of his staff declined to comment.

Congressmen are allowed $40,000 a year to pay for staff help and there is no law against putting one's relatives on the payroll.

The Scripps-Howard service, reporting Mrs. Powell's salary increase, said she now is getting $5,000 a year more than Powell paid his previous top secretary, Louise Dargans.

It said Powell, who became chairman of the House Education and Labor Committee last month, shifted Mrs. Dargans to a $17,000-a-year post on the committee staff.

Westchester Names Negro as Prosecutor

Special to The New York Times.

WHITE PLAINS, Jan. 31—The first Negro assistant district attorney of Westchester County was appointed today by District Attorney Robert J. Trainor.

He is Vester Guy Fowlkes, 52 years old, an attorney in this city. His pay will be $8,140 a year and he will serve with seven other assistant prosecutors.

Mr. Trainor appointed a second new assistant, at the same pay—J. Radley Herold, 27, of Scarsdale.

New Manhattan Borough President

Wants People Closer To City Government

By ALFREDO GRAHAM
(Courier Staff Writer)

NEW YORK—A dedication to getting people closer to their city government is one of the pledges made by Manhattan's new borough president, Edward Richard Dudley.

He told the Courier that in his opinion the $25,000 per year post was created to do just that, and during his time in office he intends to do everything to achieve this aim.

Mr. Dudley, who describes himself as "no politician," would not even comment on his prospects in the municipal elections coming up later this year. Right now his thoughts will be centered on doing "the best job possible."

Describing simself as an "independent Democrat," Mr. Dudley said he would not be taking any position on the matter of running for the full four-year term—at least not yet.

He deplored the fact that it was not always easy for people to do business with their city government—and he intends to do something about this. Because the conduct of the affairs of the office he now occupies affect the everyday lives of people in so many ways, it was important that they should be kept informed as much as possible as to "what's happening."

Coming to grips with the job at hand now was more important to him, he said, than speculating on his political fortunes

■

BEING CATAPULTED from the comparative calm of the Domestic Relations Court bench to a spot which is often described as no political bed-of-roses, Mr. Dudley exhibits the calm of quiet efficiency.

After getting a law degree from St. John's Law School, Brooklyn he served during 1942 and 1943 as Assistant Attorney General for the State of New York.

He was legal counsel to the Governor of the Virgin Islands (1945-1947).

Then the doors of international diplomacy were opened to him when President Harry S. Truman appointed him Ambassador to Liberia (1948-1953).

■

MAYOR ROBERT Wagner appointed him a Justice of the Domestic Relations Court for a full ten-year term in 1955.

It is indicative of the regard in which he is held by Mayor Wagner that he paged him for the top spot in the administration of the Borough of Manhattan.

The Manhattan City Councillors clinched it by a 4-2 vote—at the same time scoring a political coup for the Mayor over the DeSapio forces.

■

MR. DUDLEY did not devote all his time to building a substantial career as a public servant.

Between public appointments which precluded active participation in the civil rights fight, he plunged into the race betterment fight of the NAACP. In 1943 he served on the legal defense staff, and remained with the organization until he went to the Virgin Islands.

When he returned from the ambassadorship of Liberia in 1953, he again returned to the civil rights arena and was named to be in charge of the NAACP Freedom Fund drive among other duties.

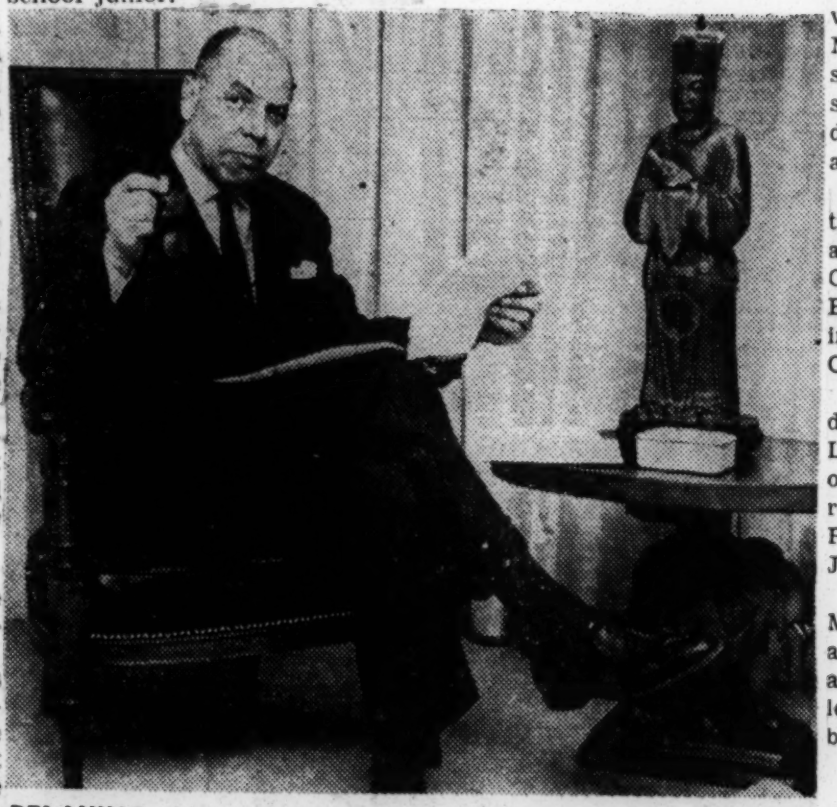
Once again he served the organization well until he was named to the bench.

■

THERE IS lustre, too, in his wife of 19 years, the former Rae Olley. She is one of the grand dames of the chalk-and-duster profession, and is currently administrator of the All Day Neighborhood School program at PS 171 in Astoria.

She regards her ascendancy to Manhattan First Ladyship with the same calm as her husband in taking over the Borough presidency.

Their 18-year-old son, Edward Richard Dudley IV, is a high school junior.



RELAXING—New Manhattan Borough President Edward Dudley relaxes at home after a day of familiarizing himself with his new position. His appointment to the post by Mayor Robert Wagner caught everyone by surprise and was considered a victory over Tammany boss Carmine De Sapio.—Cecil Layne Photo

MAYOR SUPPORTS JUSTICE DUDLEY FOR JACK'S POST

Shuns De Sapio Preference in Asking City Council to Elect Judge Today

By CLAYTON KNOWLES

Mayor Wagner announced last night that he favored the election today of Justice Edward R. Dudley of Domestic Relations Court as Borough President of Manhattan.

In his first statement of preference, the Mayor said:

"Judge Dudley is the man I would like to see chosen at the meeting of the Council. He is the kind of man I could support."

This terse statement was issued at 7:50 P.M. Until then, the Mayor had insisted only that he wanted "an outstanding independent Democrat" elected to succeed Hulan E. Jack in the borough post.

Despite the Mayor's late-hour endorsement, Assemblyman Lloyd E. Dickens still seemed to be the front-running candidate as Manhattan members of the City Council prepared to meet this morning to pick a successor to Mr. Jack.

Mr. Jack lost the office upon conviction and sentencing on conflict-of-interest charges.

Has De Sapio Backing

Assemblyman Dickens is a Tammany Hall leader who has the backing of Carmine G. De Sapio, with whom the Mayor has split. Mr. Dickens' election would be construed as a slap at Mayor Wagner and even a stalemate on the choice of a successor, observers felt, would diminish the Mayor's standing as a leader in his party.

Mr. Dickens' name came to the forefront last week after a ruling by Corporation Counsel Charles H. Tenney that Earl Brown, a Council member, was ineligible for a post that the Council itself would fill.

Mr. Brown had had the endorsement of Harlem's United Leadership Team, put together over the last two years by Representative Adam Clayton Powell and his chief lieutenant, J. Raymond Jones.

But the team, in endorsing Mr. Brown, named Mr. Dickens as second choice. Mr. Dickens, a member of the team, is the leader in the Eleventh Assembly District.

Makes No Claim

The Mayor does not support Mr. Dickens. But it was noted with interest that Mr. Wagner made no claim in his statement that he had the votes to put across Justice Dudley.

The 50-year-old Justice, appointed by the Mayor, is a former United States Minister to Liberia. Like all the others actively under consideration for the Borough Presidency, he is a Negro.

Originally, the Mayor had the support of Councilman Brown, Louis Okin and Samuel Davis for "an outstanding independent candidacy."

It was understood the Mayor favored Robert L. Weaver for the post, but President Kennedy named Mr. Weaver, also a Negro, head of the Housing and Home Finance Agency.

Mr. Brown then became frontrunner. It was said that both Mr. Okin and Mr. Davis favored his candidacy and that Councilman Daniel S. Weiss and John J. Merli, both closely allied with the De Sapio leadership, would also support him.

The Corporation Counsel's ruling upset the Brown candidacy, and it was then understood that Mr. Brown would have to back Mr. Dickens to stay in favor with the Harlem leadership.

It was further reported that the Weiss, Merli and Davis votes would go to Mr. Dickens in a plan arranged by Mr. De Sapio.

A meeting of the Manhattan councilmen called by Mayor Wagner for last Friday was canceled by him after it became apparent that Mr. Dickens would be named if the meeting were held. The Mayor insisted, however, that snow had forced cancellation.

Yesterday, the Mayor met privately with a number of councilmen.

Stanley M. Isaacs, the lone Republican in the Council, has said he would vote for any truly independent candidate who will clean house in Borough Hall."

Justice Dudley, who lives with his wife and 17-year-old son Edward Jr. at 549 West 123d Street, was reared in Roanoke, Va., and attended John E. Smith College, Charlotte, N. C. He was graduated from the St. John's University Law School in Brooklyn.

An Assistant Attorney General in New York State in 194', Justice Dudley was named as Minister to Liberia in 1948 and served through 1953. Between official posts, he served as a counsel to the National Association for the Advancement of Colored People.

Judge's Statement in Sentencing Jack

Following is the text of the statement made by General Sessions Judge Joseph A. Sarafite yesterday when he sentenced Borough President Hulan E. Jack of Manhattan.

A jury has convicted you of violating the City Charter by accepting a thing of value from a person having dealings with the city. You have also been convicted of conspiring to conceal these violations for the purpose of obstructing justice. The verdict was amply sustained by the evidence.

These misdeeds were fully exposed and brought to judgment by the prompt investigation undertaken by the office of the District Attorney and by the vigor of its prosecution. The people of our community have been well served.

You have flouted the standards of fidelity required of you as a public servant and you have debased the high office entrusted to you by the people.

Your lawyer urges that there was no loss to the city; that the city did not suffer financially. What a misconception of the great wrong that you have committed! What you have done cannot be equated with dollars.

What aggravates your betrayal of trust is the fact that the man from whom you accepted a substantial favor not only had large business interests with the city, but those interests were of such a nature as to call specifically for your official action.

This misconduct on your part having resulted in your conviction forfeits automatically and by operation of law the position you held as President of the Borough of Manhattan.

There is yet more to this sad picture than the cutting down of your tenure.

For a year you have been the subject of general disapprobation. Your transgression has been widely publicized in two trials. Now you stand marked as guilty of criminal conduct. With your high office has gone your good name and your public career. The enduring disgrace entailed in all this carries its own tragic consequences.

Your incarceration is not required for the purpose of rehabilitation or as a deterrent to others. If your experience not sufficient to keep other blic servants alive to their orn duties, they are not ely to be deterred from ongdoing by having you ve a prison term.

The very fact that you re taken from your high ce and brought before the r of justice and there mped as faithless to your ist by a verdict of your low citizens is a vindication the public interest.

Harsh Sentence Avoided

If it were not for your loss of office this court would jail you because of the seriousness of your offenses. A sentence that is too harsh may be as self-defeating as one that is too lenient.

After careful consideration of all the circumstances the judgment of the court is as follows:

On the first count, the conviction for conspiracy, the defendant is sentenced to serve one year in the penitentiary and the execution thereof is suspended during good behavior.

The second and third counts cover two aspects of the same crime under section 886 of the Charter. Therefore, sentence will be imposed on one count to cover both.

On the second count the defendant is sentenced to serve one year in the penitentiary to run concurrently with the one year on the first count and execution thereof is suspended during good behavior.

In view of the sentence on the second count, sentence on the third count is suspended.

MAYOR SETS DATE TO FILL JACK'S JOB

Calls Jan. 27 Meeting of Six Manhattan Councilmen—New Names Mentioned

By PETER KIHSS

Mayor Wagner called Manhattan's six Councilmen yesterday to meet in his office Jan. 27 at 10:30 A. M. to elect a new Borough President.

Councilman Earl Brown was still the only announced candidate, but it was learned that the reform Democrats and some community leaders were urging a new name on the Mayor—that of Edward S. Lewis, executive director of the Urban League of Greater New York since 1943.

Mr. Lewis, who is 59 years old, said when asked about the reports last night that he "would be receptive if there was a chance to render a real public service." He is an enrolled Democrat, but has never been active in party affairs.

Councilman Brown, who has been endorsed by the five Harlem Negro Democratic leaders and by some community leaders, won further support in telegrams to Mayor Wagner yesterday from the Rev. S. B. Joubert, president of the Baptist Ministers Conference of Greater New York and vicinity, and the Rev. Booker T. Mattox, president of the Baptist Ministers Forum.

Brown Has 2 Votes So Far

Mr. Brown so far has his own vote and that of Councilman Samuel Davis. At one time, he was understood also to have the vote of Councilman Louis Okin, who says he is uncommitted. However, Mr. Okin has agreed with the two other Councilmen and the Mayor to try to agree on an independent Democratic candidate.

There has been no commitment thus far from Councilmen Daniel S. Weiss and John J. Merli, the other Manhattan Democrats, who are closely allied with county leader Carmine G. De Sapio, who is still silent on a choice. If Mr. De Sapio should eventually favor Mr. Brown, their votes and those of Mr. Brown and Mr. Davis could win.

The sixth vote is that of Councilman Stanley M. Isaacs, Republican-Liberal, who has opposed Mr. Brown's candidacy. Mr. Isaacs reaffirmed yesterday that he would be willing to provide his vote for "a first-class man, irrespective of party" if needed for a four-man majority, but otherwise would vote for a candidate of his own.

Mayor Wagner explained that he was having Corporation Counsel Charles H. Tenney study whether his power to vote to break a tie would apply in case one candidate had three votes and two others received two votes and one vote.

Vacancy Is Noted

The Mayor's call for a Councilmen's meeting, pursuant to the City Charter, noted that there was a "vacancy caused by the forfeiture of office of Hulan Jack, President of the Borough of Manhattan." Mr. Jack received a suspended one-year sentence in General Sessions Court Monday on charges of conflict of interest and conspiracy to obstruct justice. His conviction automatically removed him from the position.

Another name being mentioned in political circles as a potential candidate yesterday was that of Joseph E. Dyer, a lawyer, who is vice chairman of the board of governors of the Carver Democratic Club. J. Raymond Jones, one of the Harlem leaders, is president of the club.

The ten-day interval between the Mayor's call and the councilmanic meeting was an indication of the lack of agreement thus far. Other names being re-studied in political quarters included those of George Gregory Jr., Civil Service Commissioner; State Senator James L. Watson, Assemblyman Lloyd Everett Dickens and Welfare Commissioner James R. Dumpson.

All are Negroes, and it was being argued that another Negro ought to be given a chance to serve as Borough President to remove any possible adverse reflection because of Mr. Jack's conviction.

Hulan Jack Term Is Suspended

NEW YORK — (UPI) — Borough President Hulan E. Jack of Manhattan was given a one-year suspended prison sentence Monday by General Sessions Judge Joseph A. Sarafite for accepting a $4,000 apartment remodeling from a real estate man.

Jack, first-ranking Negro elected administrative official in the U. S., automatically lost his $25,000-a-year post as Borough president when Sarafite imposed sentence. Sarafite said he would have sent Jack to jail if he had not suffered enough disgrace already.

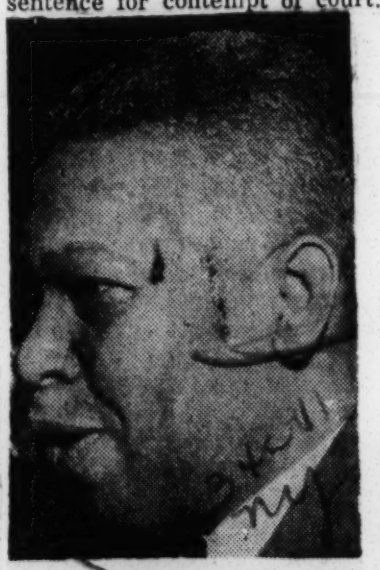
Jack was found guilty Dec. 6 on two counts of conflict of interest and one of conspiracy to obstruct justice, each punishable by up to a year's imprisonment and $500 fine. He plans to appeal.

SELF SUSPSNSION

Jack actually had been out of his job for several months under self suspension. He was tried twice on the charges. The first trial ended in a deadlocked jury on July 7.

Jack, a Democrat, was convicted of accepting a redecorating job on his Harlem apartment from Sidney Ungar, a real estate operator who was financially interested in a city contract. He also was found guilty of conspiring with Uugar and others to tell District Attorney Frank Hogan that Jack's wife, Almira, had paid for the remodeling out of savings from her allowance.

Jack and Ungar told the false story to the district attorney and also to a grand jury. Ungar, chief witness against Jack, was given immunity from prosecution. But he proved to be a hostile witness and was given a jail sentence for contempt of court.



HULAN JACK

HULAN JACK GETS SUSPENDED TERM; PLANS TO APPEAL

Year in Jail Is Dropped, but Court Excoriates Him—He Maintains Innocence

The text of Judge's statement appears on Page 26.

By PETER KIHSS

Borough President Hulan E. Jack of Manhattan received a suspended prison sentence of one year yesterday on his conviction for letting a contractor pay $4,400 for remodeling his apartment. The sentencing automatically removed him from his $25,000-a-year position.

General Sessions Judge Joseph A. Sarafite excoriated the 54-year-old, two-term Borough President for "betrayal of trust." The judge declared that "if it were not for your loss of office this court would jail you because of the seriousness of your offenses."

Mr. Jack vehemently declared later, "I am convinced of my innocence." He said he would appeal the conviction. He will remain Democratic leader of the Fourteenth Assembly District West in Harlem, he asserted, and will run for reelection to that party post this year.

Mayor to Call Meeting

At City Hall, it was understood that Mayor Wagner would probably issue a call today for the six Manhattan Councilmen—five Democrats and one Republican-Liberal—to elect a new Borough President under the Charter. The Mayor's call was expected, however, to defer the actual meeting until next week.

Councilman Earl Brown reaffirmed yesterday: "I am a candidate, and I hope that I will be elected."

Judge Gives Hulan Jack a Year But Suspends Term; Appeal Set

Notwithstanding, Mr. Brown appeared still short of the needed votes, and a possible deadlock would leave Borough Works Commissioner Louis A. Cioffi as Acting Borough President until the problem was resolved.

The Mayor insisted that he was not committed to any candidate, although he said that Mr. Brown was "one of those we are seriously considering." He said that he would meet again this week with Mr. Brown and Councilmen Samuel Davis, a supporter of Mr. Brown, and Louis Okin, who says he is uncommitted, in their quest for agreement.

Jack's Conduct Praised

The full twenty-five member Council has a regular meeting scheduled at 1:30 P. M. today.

Mr. Brown said he was "deeply sorry about the tragedy that has happened to Mr. Jack." He asserted that "Mr. Jack has conducted himself during this long ordeal as a gentleman and a man of courage, and he has won, instead of lost, friends."

The Manhattan Borough Presidency carries with it membership on the city's powerful Board of Estimate, as well as supervision over borough work on streets, sewers and other projects and command over 1,234 jobs.

Acting Borough President Cioffi announced yesterday that he was cutting his budget request for the year starting July 1 by $163,855 to $6,588,807. This, he said, meant a decrease of $250,000 in costs from the last two years despite mandatory salary increases.

Mr. Jack was convicted by a jury Dec. 6. Yesterday he started his fateful day of sentencing with prayer at St. Thomas the Apostle Roman Catholic Church, 118th Street and St. Nicholas Avenue. He reached the Criminal Courts Building at 9:40 A.M., twenty minutes ahead of time, with his wife Almira, his son Hulan E. Jack Jr., 25 years old, and Mrs. Florence Jack, wife of his brother Shirley.

The courtroom clock — two minutes fast — showed 9:57 o'clock when court opened, and a clerk called out: "Hulan E. Jack, on parole, come forward."

Defense Pleas Denied

The Borough President's counsel, Carson DeWitt Baker, moved for "arrest of judgment." He argued that the counts involved did not constitute crimes.

The first count was for conspiracy to obstruct justice. The second and third were for letting Sidney J. Ungar, a real estate operator, pay for remodelling the Jack apartment at a time Mr. Jack knew Mr. Ungar was interested in a lease to the city and was seeking to sponsor a slum clearance project.

"Denied," Judge Sarafite responded.

Mr. Baker next moved to set aside the verdict and obtain a new trial. He argued that the verdict had not been supported by the evidence, and that the court had "misdirected the jury" on ten points of law. That plea also was denied.

Mr. Baker then asked the court "to consider that there is no evidence that the defendant was guilty of corruption."

"There is no evidence that he violated his official duty," Mr. Baker also declared. "There is no evidence that his acts resulted in any loss to the city, and no evidence that the city was in any way prejudiced.

'I ask the court to consider that alhtough his acts amounted to a mistake in judgment, they were not for any venal purpose. His character and reputation have been testified to by witnesses.

"His conviction carries automatic removal from office, a drastic penalty to pay. I beg and submit to the court to extend extreme clemency."

The white-haired judge declared "the verdict was amply sustained by the evidence." The people, he said, had been "well served" by the District Attorney's investigation and prosecution.

Mr. Jack, the judge continued, had "flouted the standards of fidelity" required of a public servant. But, he added, if the Borough President's conviction was not sufficient warning to keep other officials alive to their sworn duties, then they were not likely to be deterred by sending Mr. Jack jail.

"A sentence that is too harsh may be as self-defeating as one that is too lenient," Judge Sarafite declared. Then, considering Mr. Jack's forfeiture of his job, the judge imposed concurrent one-year sentences on the conspiracy count and one conflict-of-interest count, suspending them both during good behavior and suspending any sentence on the third count.

Silently, Mr. Jack turned away as the court recessed. With photographers' bulbs flashing, he made his way from the eleventh-floor courtroom to a news conference in the ground-floor press room. There he said that as he had listened to the sentence, he had thought, "If this be God's will, so let it be." Then his voice regained its vigor and assurance.

"For my over thirty years in the Democratic party and service to one of the two parties that constitute our two-party system," he declared, "I feel that my whole career in public life is beyond reproach."

He said he had "never asked any man for a loan, and that includes Sidney J. Ungar." He said his trial had been "geared to one objective" — apparently meaning his ouster from office —and he vowed to "fight on for full vindication."

'Acquitted' in Public Life

"I have nothing to be ashamed of, irrespective of what was said today," Mr. Jack declared. "I still say before God, before man, before all of the people and before the entire world, I feel that I have acquitted myself in public life.

"As a Democrat, nobody is going to chase me out of the Democratic party, and I will stay there."

He said he had not yet considered future employment. Asked if he would run again for Borough President, he said he did not want to answer that question.

As to his possible successor, Mr. Jack recalled that he was one of the five Harlem Negro Democartic leaders who had recommended Councilman Brown's choice, and said "the action of the team speaks for itself."

As to any financial difficulties he might have, he said "that's a personal question." He declined to comment on his pension status.

After reaffirming his belief in his innocence and his determination to continue in politics, future."



Hulan E. Jack and his wife at their press conference



CONGRATULATIONS are extended to Henry Wheatley, right, newly appointed administrative assistant to Governor Rockefeller from the Governor as Mrs. Wheatley, a research aide in the State Education Department, looks on. Mr. Wheatley, 28, joined the Governor's staff in February, 1959, as assistant to the Secretary to the Governor.

34c(1) 1961

NEW YORK

OCTOBER
ATTY THURGOOD MARSHALL
JUDGE OF THE U.S. COURT OF APPEALS

It's Judge Thurgood Marshall

N.Y. Herald Tribune 10-27-61

By M. Jay Racusin

Thurgood Marshall, former chief counsel for the National Association for the Advancement of Colored People, was sworn in yesterday as a judge of the United States Court of Appeals for the Second Judicial Circuit in the United States Court House in Foley Square.

Judge Marshall, fifty-three, will serve on an interim basis with full pay, pending the resubmission of his name to the Senate, probably in January. Under the law, his interim term continues to the end of the next session of the Senate because his appointment by President Kennedy failed of confirmation before Congress adjourned.

About 200 spectators, including members of Mr. Marshall's family, were present at the brief ceremony. Judge J. Edward Lumbard, chief Judge of the Appeals Court, administered the oath.

"On behalf of the judges of the court," said Judge Lumbard, "let me say that we count ourselves fortunate in that the President has seen fit to fill one of the newly created circuit judgeships by nominating so eminent and knowledgeable a member of our bar as Mr. Thurgood Marshall. During the past twenty years, few if any, members of the American bar have had so varied an experience in the Federal trial and appelate courts of many Federal circuits."

Because of his contribution to the "steady and certain progress' in civil rights, "it is no surprise that he is called to serve in a higher capacity in the administration of all our laws as one of our circuit judges," Judge Lumbard said.

Among those present were Sen. Jacob K. Javits; Secretary of Labor Arthur Goldberg; Judge William Henry Hastie, of the Third Judicial Circuit; Judge Harold A. Stevens, of the Appellate Division; Borough President Edward R. Dudley, and Roy Wilkins, executive secretary of the NAACP.



Herald Tribune photo by Ira Rosenberg

A NEW JURIST AND FAMILY—The new Judge of the United States Court of Appeals with his wife and children, John, three, and Thurgood jr., five., yesterday.



The Evening Star, D.C. 10-27-61

IT'S JUDGE MARSHALL

Thurgood Marshall (right), former chief counsel to the National Association for the Advancement of Colored People, re-enacts the oath-taking ceremony as a judge of the United States Court of Appeals in New York. Giving the oath is Chief Judge J. Edward Lumbard.—AP Wirephoto.

Friends On Hand As Marshall Takes Oath

Atlanta World 10-27-61

NEW YORK (NNPA)—About 200 friends were on hand Monday, in the U.S. Court House in Foley Square, when Thurgood Marshall was sworn in as judge of the U.S. Court of Appeals for the Second Circuit.

Judge Marshall, who received a recess appointment from President Kennedy, will serve on an interim basis with full pay, pending the submission of his name to the Senate. He is the first Negro to be elevated to the Appeals Court for New York, Connecticut and Vermont.

Atlanta Daily World 10-26-61

"On behalf of all the judges of the court, let me say that we can count ourselves fortunate in that the President has seen fit to fill one of the newly created circuit judgeships by nominating so eminent and knowledgeable a member of our own bar as Mr. Thurgood Marshall.

DEVOTED TALENTS

"During the past 20 years few, if any, members of the American bar have had as varied en experience in the trial and appellate courts of so many Federal circuits.

"For more than 20 years, Mr. Marshall has devoted his talents to the great cause of civil rights, and he has contributed to the steady and certain progress of this cause by unremitting labor, legal skill, expert advocacy ,loyalty and devotion. It is no surprise that he is now called to serve in a higher capacity, in the administration of all our laws, as one of our circuit judges."

Besides Judge Marshall's family, among those present were: Sen. Jacob K. Javits; Secretary of Labor Arthur J. Goldberg; Judge William Henry Hastie ,of the U. S. Court of Appeals, Third Circuit; Judge Harold A. Stevens, of the Appellate Division; Borough President Edward R. Dudley; former Police Commissioner Stephen P. Kennedy; Roy Wilkins, Executive Secretary of the NAACP, and other members of the state and Federal judiciary.

34c(1) 1961

NEW YORK

REPRESENTATIVE ADAM CLAYTON POWELL

Powell to Hold Public Hearing On Racial Bias Here Saturday

By RICHARD P. HUNT

Representative Adam Clayton Powell Jr. announced yesterday that he planned to hold a public hearing here this week in his inquiry into alleged racial discrimination by both labor and management in New York and elsewhere.

A spokesman for Mr. Powell said the House of Representatives Education and Labor Committee hearing would be held Saturday, starting at 10:30 A. M., in the United States Court House at Foley Square. Mr. Powell, a Manhattan Democrat, is chairman of the committee.

The spokesman, the Rev. Oberia D. Dempsey, who is Mr. Powell's associate pastor at the Abyssinian Baptist Church, pointed out, that Mr. Powell was tried recently in that courthouse on income tax charges, which were dropped.

To Sift Federal Agencies

In a statement Mr. Powell said he would investigate why, as he put it, Negroes failed to advance in the Post Office branches and Internal Revenue Service bureaus in New York City, "despite their years of seniority and their unbroken records of accomplishment."

"There is not a single union in this nation which is going to practice discrimination without being brought before the bar of public opinion," the statement continued.

"There is not a single company in our country that will be immune from this type of examination — and this includes government, local, state and Federal."

The statement originally was intended as a speech, to be read in Mr. Powell's behalf at a joint rally of the State Conference of the National Association for the Advancement of Colored People and the State Association of the Benevolent Order of Elks of the World.

An audience of about 2,000—many of the men wearing the yellow-tasseled tarbooshes of their Elks order—attended the rally in the Brown Memorial Baptist Church, Brooklyn.

Mr. Powell was in Washington and Mr. Dempsey, in the end did not read the speech However, the audience did hear an address by Senator Kenneth B. Keating, Republican of New York, and a talk by James Peck of 552 Riverside Drive, a "Freedom Rider."

Keating Criticizes Kennedy

Senator Keating called upon President Kennedy to hold a White House Conference on Civil Rights in the wake of the recent race riots in Alabama. He also criticized the Administration for proposing a ban on travel in Alabama in Mississippi.

"Instead of a ban on travel," the Senator said, "I would suggest that the President of the United States speak out on this issue so that there is no possible misunderstanding in any corner of the globe as to where the United States stands in this struggle."

Mre. Peck displayed a dark scar on his forehead, saying fifty-seven stitches had been required to sew up his wound after he had been beaten May 14 at Birmingham, Ala., with a group of "Freedom Riders."

"Not a police officer was in sight," Mr. Peck said. "But the police chief explained later—it was Mother's Day, and they were all off duty."

Mr. Peck, who is editor of Corelator, an organ of the Congress of Racial Equality, charged that certain Southern politicians bore the responsibility for inciting the people of some Southern states against those pressing for integration.

"They are not bad people inside," he said, "but they need a total re-education to cure them of this hatred."

Powell Supporting Levitt; Assails Policies of Mayor

Harlem Leader to Hold Congressional Inquiry on Bias Here Sept. 5

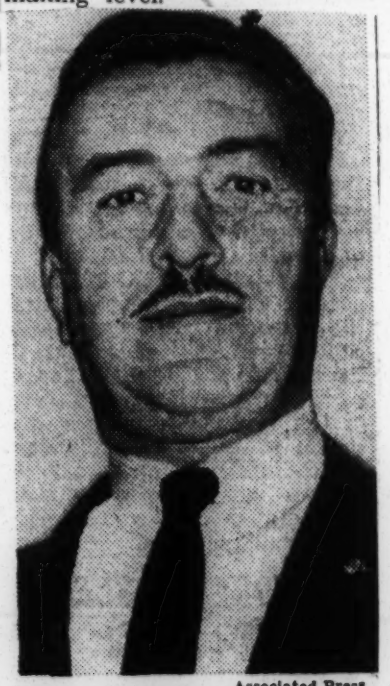
By CLAYTON KNOWLES

Representative Adam Clayton Powell Jr., the powerful Harlem Democratic leader, announced yesterday that he planned to campaign strongly for the nomination of Arthur Levitt for Mayor.

Mr. Powell said he was influenced largely by what he called a "consistent policy" in the Wagner administration of refusing to make sufficient use of New York's 2,000,000 Negroes and Puerto Ricans in city jobs.

Acknowledging that there was "a token comimssioner here, a token deputy commissioner there," the Representative declared:

"There are over a dozen departments in the City of New York without a single Negro or Puerto Rican at a policy-making level."



Associated Press

Adam Clayton Powell Jr.

Rep. Powell Cleared In Tax Fraud Case

New York — A federal district court Thursday dismissed, at the government's request the third and last count of an indictment charging Rep. Adam Clayton Powell, Jr.,



POWELL

Dem., N. Y. with income tax fraud because of lack of sufficient evidence for a re-trial on the third count—that Powell wilfully filed a false income tax return in behalf of his then wife, pianist Hazel Scott, for 1951.

Witnesses

U. S. Atty. Morton S. Robson, said that "because of the government's inability to produce certain witnesses from abroad, it was unable to establish that Miss Scott's

Rep. Adam Clayton Powell's finances have been under Federal scrutiny more than three years. In May, 1958, he was indicted on three counts of income tax fraud. Two charged tax evasion, the third, that he had aided in preparing a false return for his then wife, Hazel Scott, for 1951. Mr. Powell, a New York Democrat, charged that the prosecution, begun under the Eisenhower Administration, was poltically motivated.

At his trial a year ago, the two charges of tax evasion were dismissed by the court for lack of evidence. On the third charge, involving Miss Scott's return, it was brought out in testimony that while Mr. Powell might have overstated Miss Scott's expenses on a tour of Israel, he also neglected to report items in her favor—specifically, income taxes paid abroad which were legitimate deductions. The trial ended in a hung jury.

Last week United States Attorney Morton S. Robson, a Republican, went into Federal Court in New York and moved for dismissal of the indictment. He told the court there was no possibility of successfully prosecuting the case. The court granted the motion. In Washington, Mr. Powell said, "good, good, good, good." Then he said he would press for an investigation of the handling of the case by the Internal Revenue Service and the Justice Department.

34c(1) 1961

NEW YORK (CARE)



ROBERT G. TROTT . RICHARD MADISON . HOWARD PRUNTY

3 CARE staffers get assignments in key positions in missions abroad

The Afro American 9.8. Sat 11-18-61
Baltimore Md.

NEW YORK—CARE this week announced the appointment of a veteran staff member and two new members of its Overseas Operations division to key positions in three of its missions abroad. They are:

Robert G. Trott, Teaneck, N.J., as assistant mission chief for Yugoslavia; Howard E. Prunty, son of Leon C. Prunty, Bluefield, W. Va., assigned to the CARE Mission in Israel; and Richard Madison, son of Mrs. Lena Edward Madison, Mobile, Ala., assigned to the CARE Mission in Turkey.

Mr. Trott is a veteran of over 14 years of CARE service. He joined the staff as a clerk, later became supervisor in the Remittance Division.

He recently served as assistant director of training for 62 Peace Corps members, who are now working on a CARE-Peace Corps project in Colombia, South America.

* * *

IN HIS NEW assignment, Mr. Trott will assist the CARE Mission Chief in the administration of a country-wide food and Self-Help aid program in Yugoslavia.

He had occasion to visit all six federated republics of Yugoslavia and to develop a working knowledge of the Serbo-Croat language.

Early in 1962, Mr. Trott will be joined in Belgrade by his wife, the former Miss Carolyn E. Claytor of Hill Top, W. Va., and their daughter, Deidre Jane, 13.

Trott, 37, is the son of Mr. and Mrs. Jacob G. Trott, Mount Vernon. He is a captain in the U.S. Air Force Reserve. During World War 2 he served with the famed 99th Pursuit Squadron.

* * *

MR. MADISON, who joined the CARE Overseas Operations staff Sept. 15, has already left for Athens, Greece, where he will undergo two weeks of additional training before assuming his duties in Turkey.

Born 28 years ago at Camden, Ala., Mr. Madison attended Mobile Central High School and took his B.A., in political science in 1953 at Morehouse College, Atlanta.

After two years of Army service, during which he was stationed in Panama, he obtained a master of Governmental Administration at the University of Pennsylvania in 1958.

He subsequently served as an administrative assistant and later as budget examiner in the Governor's office at Harrisburg, Pa.

* * *

ALSO SCHEDULED for additional training at CARE Mission headquarters in Athens, Greece, before going to Israel, is Mr. Prunty, who will be accompanied by his wife, the former Odessa Johnson.

Mr. Prunty, 33, is a native of Maybeury, W. Va., and took his B.S. in social sciences at the Bluefield State College in 1953.

His studies there were interrupted by three years of Army service, during which he was stationed for 16 months in Korea as a mining expert with the 101st Engineers of the 25th Division.

* * *

IN 1955, he took his M.A. in social work at the West Virginia University. He served for a year as a psychiatric case worker with the Veterans Administration and for three years with the Department of Correction of NYC.

For the past several years he was the supervisor of a private welfare service at Highland Park, N.J., until he joined the CARE Overseas Operations staff Oct 2.

CARE picks Teaneck man for post in Yugoslavia

The Afro American 7.20
Sat 11-18-61
Baltimore Md.

NEW YORK — CARE Friday announced the appointment of Robert G. Trott, of 136 Shepard Avenue, Teaneck, N. J., as Assistant Mission Chief for Yugoslavia. He will leave this Thursday from Idlewild International Airport for Belgrade.

In his new assignment, Mr. Trott will assist the CARE Mission Chief in the administration of a country-wide food and Self-Help program. He will be aided in his task by his experience seven years ago, when he was stationed in Yugoslavia for more than a year as a field representative to supervise a CARE school lunch program.

During that earlier tour of duty, Mr. Trott visited all six federated republics of Yugoslavia and developed a working knowledge of the Serbo-Croat language.

* * *

MR. TROTT is a veteran of more than 14 years of CARE service. He joined the staff of the nonprofit overseas aid agency in July, 1947, as a clerk, later became supervisor of office services, and for the past five years was a supervisor in the Remittance Division.

Because of his wide experience in domestic and overseas operations, he recently served as assistant director in the training of 62 Peace Corps members in preparation for their assignment to a CARE-Peace Corps project in Colombia.

Early in January, Mr. Trott will be joined at his new assignment by his wife, the former Miss Carolyn E. Claytor, and their daughter, Deidre Jane, 13.

Mr. Trott is a captain in the U.S. Air Force Reserve. During World War 11 He served with the famed 99th Pursuit Squadron.

Powell Won't Sponsor 'No Bias' Amendment

BY ARNOLD SAWISLAK

WASHINGTON (UPI) — The House Education and Labor committee started its own countdown Friday to launch President Kennedy's education program as one answer to Russia's man-in-space achievement.

Chairman Adam Clayton Powell, D-N.Y., urged his colleagues to get cracking on bills to carry out Kennedy's $4.7 billion proposal to upgrade American education.

The congressman took a personal pledge not to introduce proposals to bar federal aid to racially segregated schools. Declaring that the challenge posed to Americans by the Soviet cosmonaut overrode all other considerations, Powell said he would sponsor no amendments that could kill school aid.

Powell has sponsored anti-discrimination amendments to school bills in the past, and invariably they have resulted in the death of the legislation.

Until last week, Powell had kept his amendment hanging over Kennedy's program, saying he would decide whether to offer it when he saw how Kennedy was dealing with civil rights.

He not only removed his own threat of an anti-segregation amendment Friday, but announced he would lead the fight against anyone else who tried to put the same kind of provision into the school bills.

Powell said he firmly believed that no member of Congress could afford now to vote against education bills for political or sectional reasons.

"Education is number one," he said. "The battle is now for men's minds."

Powell arranged for a subcommittee now working on Kennedy's $2.4 billion college aid measure to place a bill before the full committee by April 19.

He said if a subcommittee scheduled to start closed-door work that same day on the $2.3 billion elementary-secondary school aid bill didn't make progress, he would snatch the legislation away and write it in full committee.

The College bill advanced slightly when the subcommittee tentatively approved a cut-down version of Kennedy's loan proposal for colleges. As now written, it would provide $120 million in each of five years for low-interest, long-term loans to build classrooms, laboratories and libraries.

The remaining $180 million a year originally sought by Kennedy for loans would go instead into matching grants. Under the plan given subcommittee approval earlier, colleges would have to put up two dollars of their own money for each federal dollar granted for construction.

U.S. DROPS TAX SUIT NAMING POWELL AIDE

A six-year-old income tax evasion indictment against one of Representative Adam Clayton Powell Jr.'s Congressional secretaries was dismissed yesterday on a motion by the Government.

In 1955 an indictment was filed charging William J. Hampton, 39 years old, of 113-25 Thirty-fourth Avenue, Corona, Queens, with evading $699 in his 1952 and 1953 taxes. The case was never brought to trial.

United States Attorney Morton S. Robson said that last August his office had recommended to the Justice Department that the indictment be dismissed. After reviewing the matter the Justice Department concluded that the evidence available did not justify prosecution. Federal Judge Charles M. Metzner acted on the Government motion yesterday.

Two other of Mr. Powell's congressional secretaries were convicted of income tax evasion and served prison terms. They were Mrs. Hattie Dodson and Acy Lennon. An indictment charging that he willfully filed a false return for his former wife, Hazel Scott, is still outstanding against Mr. Powell.

U.S. Dismisses Powell Case; Doubt on Witnesses Is Cited

Robson, Prosecutor at Trial, Resigns Post as Federal Attorney

By EDWARD RANZAL

The three-year-old tax-fraud indictment against Representative Adam Clayton Powell Jr. was dismissed yesterday in Federal Court on a motion by the Government.

Judge Charles M. Metzner granted the motion after United States Attorney Morton S. Robson had said there was no realistic chance of successfully prosecuting the case.

The Tax Division of the Justice Department had acceded to Mr. Robson's recommendation to drop the case after the prosecutor had found it impracticable to call Mr. Powell's former wife, Hazel Scott, as a witness.

A few hours after the court's action Mr. Robson announced he had submitted his resignation effective next Tuesday, when his successor, Robert M. Morganthau, will be sworn in. Mr. Robson, a Republican, was serving an interim appointment until President Kennedy selected Mr. Morgantheau, a Democrat to succeed him.

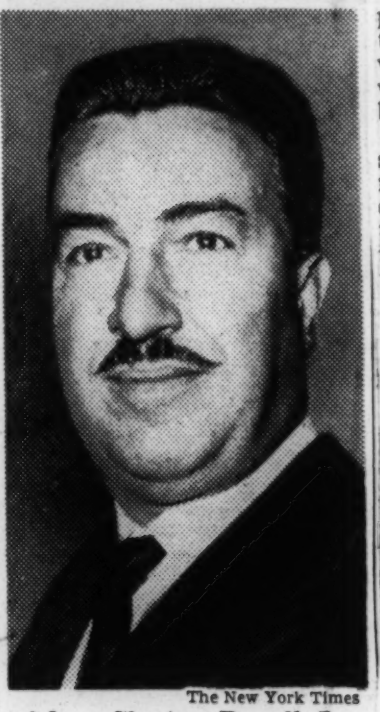
Mr. Robson will resume private law practice as a partner in the firm of Marshall, Bratter, Greene, Allison & Tucker.

Indictment Had 3 Counts

The indictment of Mr. Powell, a Democrat, was returned on May 8, 1958, and contained three counts, two charging income tax evasion and one alleging that he had aided in the preparation of a false return for Miss Scott while she was his wife.

In a six-week trial that ended April 21, 1960, Judge Frederick vanPelt Bryan dismissed the tax evasion charges and submitted only the third count to the jury. The jury could not agree and was dismissed leaving open the one charge against Mr. Powell.

Last January former United States Attorney S. Hazard Gillespie Jr. recommended to the Justice Department that the case be dropped unless additional evidence could be obtained.



The New York Times

Adam Clayton Powell Jr.

Mr. Robson, who was chief assistant to Mr. Gillespie and the prosecutor at the trial, called in Miss Scott on Feb. 20 after she had divorced the Harlem Congressman. Miss Scott was not a defendant and was not called as a witness at the trial because she was at that time still married to Mr. Powell.

Mr. Robson had hoped that Miss Scott would be in a position to give detailed information about her earnings and expenses during a concert tour in Israel. However, she was vague as to details because, she said, Mr. Powell had handled the finances.

Mr. Robson then recommended the case be dropped. He told the Justice Department that he would be "perfectly willing to assume the responsibility of moving in court for dismissal of the indictment."

On Tuesday Mr. Robson was instructed by a Justice Department lawyer to dismiss the case and to move expeditiously.

A snag deevloped when Mr. Robson and the Justice Department could not agree on the wording of a formal statement to the press that was ironed out at 8 P. M. Wednesday and Mr. Robson arranged to go into court yesterday.

The press release did not reflect the following that appeared in Mr. Robson's petition to the court:

"A primary problem was proof of defendant's participation in the preparation of his wife's tax return and of his willingness in exaggerating her business deductions.

"The proof on this issue consisted principally of the testimony of Hattie Dodson, the defendant's secretary. At the trial, she rpoved to be an extremely uncooperative and hostile witness."

2 Served Prison Terms

Mr. Robson's affidavit said that three weeks before the trial Mrs. Dodson had given a damaging statement to the Government. At the trial her memory was faulty. He said that at a re-trial her testimony would be "worthless."

The investigation of Mr. Powell began in 1956. It resulted in tax evasion indictments against Mrs. Dodson, and two other of Mr. Powell's Congressional secretaries, Acy Lennon and William E. Hampton. Mrs. Dodson and Lennon were convicted and served prison terms. Recently the Government dropped its charges against Mr. Hampton.

The indictment against Mr. Powell was returned by a grand jury that threatened to take matters into its own hands after a long period when no evidence was presented to it.

Officials in the United States Attorney's office had always maintained that the case against Mr. Powell was "weak." When Mr. Robson took over the case he attempted to build it up, but his new theories were knocked out by the court.

At a news conference in Washington Mr. Powell said yesterday he would press for an investigation of the handling of his case and for changes in the law.

POWELL BACKS F.E.P.C.

Urges Kennedy to Press Job Discrimination Fight

MILWAUKEE, Nov. 12 (AP) —Representative Adam Clayton Powell Jr. predicted today a major effort in Congress next session to pass a fair employment practices act.

The chairman of the House Education and Labor Committee urged President Kennedy to take the lead in attacking job discrimination in line with his 1960 campaign pledges.

In remarks to a Democratic party rally, the Manhattan Democrat said if the Democrats did not push the fight, the Republicans would.

He said recent findings of the Civil Rights Commission and testimony before a House Labor subcommittee had given Congress a mandate to act on fair employment legislation.

Congressman Powell Gets N.Y. Radio Job

NEW YORK — Cong. Adam Clayton Powell, chairman of the House Committee on Education and Labor became a radio commentator as of last Sunday.

He commenced broadcasting a "Washington Report" which will become a weekly feature over station WLIB.

Harry Novik, general manager of the station, announced that Congressman Powell will give an up-to-the-minute report on problems and projects undertaken by his committee and their effect on the New York community. The report will be part of an expanded public service program, "Your Legislator Speaks," which station WLIB initiated several weeks ago.

The program has received such attention that WLIB decided to expand the time to a half-hour each Sunday (6-6:30 P. M.)

In addition to Congressman Powell, who will be heard each week, different state and national Congressmen will be heard on the program, providing the WLIB audience with the latest information on activties in Albany and Washington, D. C.

Into 'One Stinky, Little Room'

Rep. Kearns Charges Rep. Powell Seeks to Evict Him From House Suite

United Press International

Rep. Carroll D. Kearns (R-Pa.), charged yesterday that Rep. Adam Clayton Powell (D-N. Y.), is trying to evict him from his minority committee room suite into what an aide called "one stinky little room."

Powell announced the move in a letter to Kearns which was about the same as setting off a bomb in the Pennsylvania Republican's office.

"He can put me in jail and I'm not going to move out of this office," Kearns bristled. "What goes on — is this Hitler?"

Kearns said Powell's letter contained an implication that if he moved, Powell might be able to arrange some foreign excursions for Republicans.

Kearns, a veteran of 15 years in the House, said he would have none of it. He locked his office door and said nobody—but nobody—gets in.

"Carroll Kearns is not going to be evicted," he snapped. "I'm going to make a stand if I have to take it to the House floor."

Powell is chairman of the House Education and Labor Committee. Kearns, by virtue of his position as ranking Republican member, was entitled to what has been the minority suite—a 2-room office near the Committee rooms.

The Committee offices are on the fourth floor of the Old House Office Building.

Powell, in a letter Kearns found on his desk, said the Committee's Democratic majority had enlarged its staff and needed Kearns' space to add to the three big rooms it already occupies.

Powell said he needed the space first thing Monday morning. His aides advised Kearns to be ready to move at 1 p. m. After Kearns locked the doors, protested to Speaker Sam Rayburn, and announced his intention to fend off all comers, the order was temporarily stayed. The Pennsylvanian then unlocked the door but kept a firm grip on the key.

The majority staff last year ran from 13 to 15 at various times, Committee sources said. Since Powell's elevation to the chairmanship in January it has been increased to 32, more than double the previous figure. The minority is allowed four employes, and the Democratic plan was to install them in a single big room down the hall.

Powell is out of the country visiting Puerto Rico, and Kearns suggested that maybt it's a good thing he is.

"They're not going to evict me," he said, "because as ranking member of the Commitee I have as much power as the chairman."

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NOVEMBER

Earl Brown Out As Hulan Jack Successor

NEW YORK (ANP)—The only thing that seemed certain about the successor to Hulan Jack as $25,000 per year president of the Borough of Manhattan was that it wouldn't be Councilman Earl Brown.

Brown who as protege of Tammany Boss Carmine de Sapio opposed Rep. Adam Powell for Congress at the polls, was ruled ineligible to hold the post by Corporation Counsel Charles H. Tenney because he is a member of the six man council authorized to name Jack's successor.

The selection scheduled to have been made last week, was postponed until this week.

The opinion had the effect of removing Brown from serious consideration.

It also had the effect of advancing Welfare Commissioner James R. Dumpson, Assemblyman Lloyd Everett Dickens and State Senator James L. Watson as possible choices for the office.

FIRST CHOICE

Commissioner Dumpson is reported to be Mayor Wagner's first choice, now for the vacancy.

Either Assemblyman Dickens or Senator Watson might get De Sapio's backing.

Dickens was said to be the only candidate on whom all the Democratic district leaders in Harlem could agree after Brown was forced out of the race.

J. Raymond Jones, one of the leaders, is said to have gone along reluctantly with the selection out of a belief that otherwise the office would go to someone who is not a Negro.

Jack was the first Negro elected Borough President. Whatever their other differences may be, the Harlem leaders are extremely anxious that his successor also be a Negro.

CLASHES NOTED

In the past Dickens and Jones have clashed on several occasions. Their differences were temporarily smoothed over when both supported Representative Adam Clayton Powell Jr. for renomination in 1958 when De Sapio induced Councilman Brown to run in the Democratic primary against him.

Representative Powell listed Dickens on Jan. 8 at one of three candidates acceptable to him. The two others were Civil Service Commissioner George Gregory Jr. and Deputy Corrections Commissioner David D. Jones.

Wagner said it was "pretty obvious" there was a wide break between himself and De Sapio. The Mayor said he had no candidate of his own for Borough President "at this point."

He said he felt the office was open to "anybody who's qualified" and not only, as is Assemblyman Dickens an devery candidate who has been seriously mentioned.

"What we want to do is select the best type of man," said the Mayor. "The new Borough President will be chosen by the Councilmen."

Mayor Wagner can cast the deciding vote on a candidate only if there is a 3-3 tie among the Councilmen.

NEW YORK

Kennedy To Stand Pat On Weaver Nomination

WASHINGTON — (ANP) — The administration plans to go ahead with nomination of Dr. Robert Weaver of New York to be housing administrator despite objections to the appointment from Sen. Willis Robertson, D-Va., and several other influential southerners.

Press Secretary Pierre Salinger made that clear in answer to a press conference question last week. He didn't say when the nomination would come to the Senate but said it definitely will be offered.

Robertson, chairman of the Senate Banking and Currency committee which will hold confirmation hearings for that post, had appealed through channels to the White House to substitute another nominee for Weaver.

His contention is that the New Yorker's strong views in favor of compulsory race integration in all federally assisted housing could result in wreckage of the public housing program.

Others who have publicly voiced objection to the nomination are Sens. John Sparkman, D-Ala., chairman of the Senate's Housing subcommittee; Lister Hill, D-Ala., and Allen Ellender, D-La.

Sens. Ollie Johnson and Strom Thurmond, D-S.C., and Richard Russell, D-Ga., have all said they planned to closely examine Weaver's qualifications and background before voting for his confirmation.

Weaver was to be welcomed to the building industry in Chicago Monday at a reception sponsored by the Metropolitan Builders Association of Greater Milwaukee.

The reception was to be held as part of the annual convention of the National Association of Home Builders, which opens in Chicago.

In moving to welcome Weaver to the building industry, the Milwaukee association noted that all of the agencies which would be under his direction had an intimate connection with metropolitan area growth and were of "significant importance to the growth dynamics and potential of Milwaukee and its environs."



ELMER A. CARTER

Carter appointed Rockefeller aide

NEW YORK (ANP) — In a swift shifting of state posts, Elmer A. Carter, chairman, State Commission against Discrimination (SCAD), first of his race to serve in that capacity, retired after reaching the mandatory retirement age of 70.

However, Gov. Nelson A. Rockefeller has named Mr. Carter as his special assistant on intergroup relations.

Carter's post has been given to Ogden R. Reid, former president and editor of the New York Herald-Tribune. Reid's lower ranking post with SCAD has been given to George Fowler, formerly Deputy State Industrial Commissioner.

All men were sworn into office recently at a ceremony at the St. Regis Hotel.

'The New York State Song'

Bessie Buchanan's State Song Gains Favor With Legislators



HIGH HOPES—Assemblywoman Bessie Buchanan is happy that her efforts to get New York State to adopt an official song went one step further towards realization when the State Assembly recently voted, unanimously, for its adoption. She wrote the music and lyrics for the song. The next step is approval by the Senate and the signature of Governor Nelson Rockefeller. "I am very hopeful," Mrs. Buchanan said.

ALBANY, N.Y.—New York may have an official state song after all, thanks to the efforts of Assemblywoman Bessie A. Buchanan, who not only wrote the song, but sparked an unprecedented action earlier this year, to put her song over.

Legislators took time out from official business to listen to internationally famed orchestra leader Meyer Davis, play the song before a joint session of the Legislature.

The State Assembly voted unanimously to approve the proposal for the state song written by their colleague, and sent it to the State Senate for action.

■

THE ANTHEM, if approved by the Senate and signed by Gov. Nelson A. Rockefeller, would be the first time New York State ever had an official song.

Mrs. Buchanan's song for which she wrote words and lyrics last summer, is in march tempo and has been titled "The New York State Song."

Mrs. Buchanan told newsmen last week that she was "extremely happy" over the unanimous vote in the assembly and said she hoped it would be successful with it in the State Senate.

■

MUCH ENTHUSIASM has been shown in favor of the song by many other Government officials and hundreds of upstate civic and community groups, school officials and students, who have heard it.

In all the world there's no place like New York,
Where dreams come true and happy hearts are taught
To walk and work together in freedom and in light,
To make our state the greatest in progress and might.
In every way we honor and revere
The sight and sound of all we hold so dear,
From the beauty of the mountains to the magic of the streams,
And our buildings reaching high unto the sky.
In God we trust that peace will ever reign
O'er New York State, our home and proud domain.

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NEW YORK

Board of Education Appoints A Director of Human Relations

The New York Times

F. H. Williams Is Named to New Position—Six Others Are Promoted

P. 38 M

The Board of Education approved the appointment of Frederick H. Williams as director of human relations yesterday. NYT, 7-28-61

The board also approved the promotions of two principals and four bureau directors to the $18,400-a-year positions of assistant superintendents of schools.

Among those advanced was Jerome G. Kovalcik, the director of education information services and public relations. He has been with the schools since December, 1958, and before that held teaching and public relations posts. His salary has been $17,500 a year.

In announcing the appointment of Mr. Williams to the new $12,500-a-year yost, Charles H. Silver, president of the board, said Mr. Williams would assist school divisions, districts and individual schools "with the solution of human relations problems and in helping to alleviate conditions that spring from misapprehensions and ignorance."

Mr. Williams, who is 46 years old, has been in the school administration since 1938. He holds a teaching license and has served in recent years as an assistant to Mr. Silver. He has been frequently called on to assist in the board's integration efforts and was the unanimous choice of Dr. John J. Theobald, Superintendent of Schools, for the new position.

Mr. Kovalcik, who will be 44 next month, served from 1955 to 1958 as public relations officer for the State University and for seven years was an assistant professor at Champlain College.

The others promoted to assistant superintendents were:

Max G. Rubinstein, 54, now principal of Junior High School 141 in the Bronx; Cornelius J. McQuillen, 55, principal of Public School 94, Brooklyn; Herbert A. Landry, 62, director of the bureau of educational program research and statistics; William H. Bristow, 63, director of the bureau of curriculum research; and J. Wayne Wrightstone, 57, director of the bureau of educational research.



Frederick H. Williams

34c(1) 1961

NEW YORK

'PROFILE OF MR. MANHATTAN'

The Afro-American
Baltimore, Md.
Dat. 2-11-61
P. 9

Richard Edward Dudley



RICHARD E. DUDLEY

Thirty years ago, Edward Richard Dudley had a yearly pay-check of about $500 —for teaching 56 pupils in a one-room school near Taunton, Va.

This year, he will receive $25,000 as Manhattan Borough President. His story, however, is much more than merely that of a man who increased his income to 50 times its original size.

The success saga of this 50-year-old Roanoke, Va. native combines the elements of dedication, preparation, and being in the right place at the right time.

* * *

THE SON OF a Roanoke dentist, young Dudley was fresh out of Johnson C. Smith University when he took over the one-room school. While he accepted the meager salary he was aware of the fact that while teachers were getting twice his pay and he resented it.

In odd jobs working his way through Johnson C. Smith, he smarted at being called "George" as a matter of course although he had two perfectly good Christian names, Edward and Richard.

During the summer before his senior year, he went to Shoreham, L.I. to manage an executives' club. There, the form of address was more civilized.

No wonder, then, that young Dudley wasted no time in haking the jim-crow dust of Virginia off his feet. His first stop was Washington where he attended Howard University.

* * *

NEXT STOP, New York. There his uncle, former Assemblyman Edward A. Johnson, was busy in politics and real estate. During the time of his arrival in Gotham until his graduation from St. John's University Law School, young Dudley worked in his uncle's real estate business.

He also hopped bells and waited tables. He also worked in a Federal Theatre Project and aided in the production of Orson Welles' "Macbeth" and other plays.

When he hung out his shingle in 1941, he practiced only a year before being named assistant state attorney general. This, his first foothold on the ladder of success, was the beginning of his career of public service.

His next step was service to the NAACP. He had suffered too much from "the southern way of life" to forget it as soon as he crossed the line.

For the next few years as an NAACP lawyer, he was known for his persistent assaults on segregation in many parts of the south. During these five yers, the notice he attracted was favorable, but limited.

NATIONAL PROMINENCE came in 1948 when he was appointed Ambassador to Liberia — the first colored ambassador to represent the nation. In Liberia, Mr. Dudley did not confine himself to the social life and activity of the capital, Monrovia, but visited the hinterlands.

A stuffed-shirt he was not; local chiefs knew him as a man who did not observe their activities from a distance but joined them in their parleys and celebrations.

When this tour of duty ended in 1953, New York immediately reclaimed him. He was seated on the bench of the Domestic Relations Court where he remained until his election to fill Hulan Jack's unexpired term.

* * *

IRONICALLY, WHEN Mayor Wagner was fighting and maneuvering to get him elected to the Manhattan Borough presidency, he did not then know that he was continuing a family relationship.

It wasn't until he swore Mr. Dudley in that he learned that Assemblyman Johnson, Dudley's uncle, had served with his father, Robert Wagner Sr.

After Hulan Jack was convicted of conflict of interest as borough president a mad scramble developed for the juicy political plum. Councilman Earl Brown, Assemblyman Lloyd Dickens and Acting Borough President Louis Cioffi were all involved in the hectic in fighting. Dudley remained aloff — no one gave him even an outside chance at the post.

As it developed, his election, by a four-to-two vote, at least partially satisfied all the warring factions in that he was not unacceptble to any although each had its favorite.

The unexpired term ends in December; to keep it after then, Mr. Dudley will have to be elected in November. So far, the Manhattan Borough presidency is the highest job to which a colored person has been elected in this country. Competition will be stiff.

THE DUDLEYS (she is the former Miss Rae Elizabeth Olley, a teacher) live in the Morningside Gardens cooperative at 549 W. 123rd St. The election to the borough presidency was somewhat in the nature of an anniversary present — the Dudleys having ben married the same day, 19 years before.

Mrs. Dudley is in charge of Public School 171 in Astoria, Queens. Their 17-year-old son, Edward Jr., is enrolled in Riverdale's Fieldston School.

The new appointee's hobbies include golf, tennis, swimming, bridge and parlor magic.

Dudley, borough head, takes oath

The Afro-American
Baltimore Md.
Dat. 2-11-61
P. 1

By ALVIN E. WHITE

NEW YORK—The Borough of Manhattan has a new president.

He is Edward R. Dudley, until 11 A.M. last Tuesday morning, a justice in the Domestic Relations Court, and at that time, Mayor Robert F. Wagner's personal choice to succeed Hulan Jack as Borough President of the richest of New York's five boroughs.

The six Manhattan representatives in the City Council were charged with the election of a new Borough President and in a brief session Tuesday morning, chose Dudley by a 4-2 vote, eliminating Democratic Leader Carmine DeSapio's choice, Assemblyman Lloyd Dickens.

* * *

THE MAJOR political victory for Mayor Wagner was a stunning defeat for Tammany Leader DeSapio.

The elections, held in the Board of Estimate hearing room on the second floor of the City Hall drew an overflow crowd.

Mayor Wagner presided and at the outset, his voice quivered a bit, but as the session warmed up, Wagner was in complete control and master of the situation.

Ever since the Jack disaster, it had been felt the Mayor was seeking a "prestige" name to restore public confidence in the Borough President's office. Then again, control of this juicy patronage fountain could work wonders in an election.

It is understood that the Mayor plans to run for re-election in November, having been denied a Federal appointment because of scandals that had been unearthed in his administration.

It was up to Mayor Wagner to mend his political fences and he knew he couldn't do it with a DeSapio man.

* * *

HOWEVER, UP until the very election itself, DeSapio's choice Assemblyman Dickens, was felt to have clinched the post since he was supported by the Harlem Leadership Team (Messrs. Powell, Jones, Jack et al). And Adam Powell, who had been so bitter against DeSapio was accused of playing footsie with the leader to secure the job for Dickens.

Wagner outsmarted Powell, DeSapio and all of the club house boys. How? By removing Justice Dudley from the bench upping him to a $25,000 job (a mere $6,000 a year raise, plus chauffeured Cadillac etc.) that left open a $19,000 job — which only the Mayor could fill.

Was this why one of DeSapio's men defected?

* * *

IN NAMING Edward Dudley to the Borough President's office for the unexpired term which ends in January, the Mayor brought one of the best elected officials in the city to the job.

Mr. Dudley is several cuts higher than his associates and by now they realize he is no club-house politician or errand boy.

His record is distinguished and should he fail of re-election this fall, there will always be a spot on the bench for him.

Fifty - year old Edward Dudley was born in South Boston, Virginia. He was graduated from Johnson C. Smith University in North Carolina and came to New York during the depression.

* * *

THINKING HE wanted to be an actor, Dudley landed in the Federal Theater Project of the old WPA and during that time, attended St. John's Law School in Brooklyn at nights.

He forgot the theater and stuck to law. Later he was legal counsel to the Governor of Virgin Island, served as an Assistant Attorney General of New York State, was Ambassador to Liberia four years and very active with the NAACP legal staff.

Mayor Wagner tapped him in 1955 to succeed Judge Hubert T. Delaney. Mr. Dudley's

apartment still had five years to a co - operative apartment. Powell, now palsy - walsy with DeSapio after lambasting him from heel to twelve Street, in the inside track on the job and Mayor Wanger's endorsement, until legal roadblocks side-tracked Brown. Then Brown turned against the man DeSapio picked to oppose DeSapio's man and support Adam Powell, Earl Brown, a member of the City Council, had ocratic "The Fox" during the recent congress- ional primary when DeSapio refused to endorse Powell. y teaches Leader Raymond Jones. Mrs. Dudley teaches public school. is a sting- Strangely enough, the mermine De- DeSapio picked to oppose to Adam

* * *

HE IS married and has one son, Edward Jr. The Dudleys live in Morningside Heights. Dudley's election is a rebuff to Sapio and a

ted Dudley. This poses a tick
lish proposition this Novem
ber when Brown comes up
for re-election. He won't have
Powell's endorsement and
support, neither can he coun
on DeSapio.

* * *

AS FOR DUDLEY, who
brings a clean broom into the
Borough President's office, he
has to make good in this
eleven months if he wishes
to run for re-election.

No one doubts his honesty
and determination and ability,
so if the Borough President's
office is to be fumigated and
restored to a plane of de-
cency and respect, Ed Dud-
ley is the man to do it — and
Bob Wagner knows it.



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SWEARING CEREMONY — Domestic Relations Court Justice Edward R. Dudley, left, is sworn in by Mayor Robert Wagner at City Hall in NYC. Dudley, 50, who was the mayor's personal choice, was chosen Manhattan Borough President by a 4 - 2 vote of Manhattan City councilmen.

Powell Is Left No Alternative

President Kennedy has described his 5.6-billion dollar program o federal aid to education as "modest with ambitious goals."

Health, Education and Welfare Secretary Abraham Ribicoff was more frank. With a seeming note of pride he called it a "states rights" proposal.

And it is precisely for this reason that we would call it sorely disappointing.

We are dismayed that Mr. Kennedy would suggest that Congress enact legislation with such built-in assurances of continued discrimination.

If he can take such a firm stand in support of the constitutional prohibition against allocation of federal funds to parochial and non-public schools, why does he hesitate to take a similar position in support of the constitutional requirement that all public schools must be operated on a non-discriminatory basis?

MR. RIBICOFF, who expresses doubt that the President has authority to withhold funds from segregated schools, would have us believe that insistence on such a step is a "side issue which would block the real intent and purpose of school aid legislation."

To which we reply, hogwash.

This sound so much like Mr. Eisenhower's charge of "irrelevant and extraneous" that one would almost suspect the secretary has been reviewing the former President's press statements.

"No innocent child, whether in Mississippi, Louisiana or Little Rock should suffer at all for the philosophy of his elders or the school board," Mr. Ribicoff insists.

That is exactly the point. To guarantee that federal funds should never be used for this purpose is clearly the duty of every official under oath to uphold and support the Constitution.

* * *

YET ONLY TWO months ago, the U.S. Civil Service Commission, was reporting the grim story of what happens when federal grants with no strings attached are given the former Confederate states.

This money taken from the pockets of all citizens when given to Mississippi in 1958 was disbursed in white schools at the rate of $250.41 per student and in colored schools at the 'separate but equal' rate of $19.22 per student.

South Carolina was only a fraction better, allowing $169.71 for each white student and a measly $28.82 for colored. Louisiana topped the list with the allotment of $110.97 per white student and $5.83 for colored.

Mr. Powell, as chairman of the House Education and Labor Committee, must pass on the Kennedy school-aid proposals. Earlier he indicated he would forego offering the Powell Amendment to withhold federal money from school districts which defy the law.

Unhappily, President Kennedy has left him no alternative but to dust it off and introduce it once again. For enactment of federal aid legislation without such safeguards is not only unthinkable, but a clear betrayal of constitutional protection.

Tenney Ruling Bars Council OK On Brown for Boro President

By FRANK LYNN,
World-Telegram Staff Writer.

City Councilman Earl Brown cannot be elected Borough President of Manhattan by his colleagues, under a ruling by Corporation Counsel Charles H. Tenney.

The ruling throws the race for the borough presidency wide open.

The World-Telegram learned today the ruling held that judicial opinions bar the council from naming one of its members to a vacancy, unless a law specifically permits it. The ruling said no such law exists.

Mr. Tenney, confirming that he had given Mayor Robert F. Wagner the advisory opinion "some time ago," said it was up to the Mayor to divulge its contents. Mayor Wagner today admitted he had received the opinion, but said only that it "raised a grave question" of the councilman's eligibility.



EARL BROWN.

"However," the Mayor said, "we want to explore every avenue and make sure no one is declared ineligible without a thorough check."

Also serving to pull the rug from under Mr. Brown was a move of J. Raymond Jones, the powerful Harlem Democratic leader. Mr. Jones' colleader, Mrs. Minnetta Anderson, has challenged Mr. Brown's renomination as a councilman in this year's primary.

The rapid-fire series of events threw the borough presidential race into a turmoil, with most observers believing that Mayor Wagner has a tiger by the tail—with only two days left before the scheduled election of a new borough president by Manhattan city councilmen.

The Mayor has publicly proclaimed he would select the next borough president and has privately pledged to reform Democrats that the new official would declare his independence of Mr. De Sapio.

Mayor's Support Doubtful.

Now, however, it is questionable whether the Mayor has the support of enough councilmen to carry out his pledges or whether he even has a candidate. Political leaders of all factions today expressed the belief that the borough presidential race is "wide open."

The Mayor had originally forged an alliance of three Manhattan councilmen—Samuel Davis, Lewis Okin and Mr. Brown — which leaned strongly to Mr. Brown, although the Mayor was reportedly less than enthusiastic about the Negro lawmaker.

However, with Mr. Brown out of the picture, the alliance may have fallen apart. Mr. Davis insisted later yesterday that he would still support Mr. Brown while Mr. Okin refused to express a preference but is believed ready to follow the Mayor's lead.

Hence Mr. Wagner may be able only to produce one Council vote while Mr. De Sapio can count on at least two—those of Councilmen John Merli and Daniel Weiss. Republican Councilman Stanley Isaacs has indicated he will abstain.

Harlem attorney gets appointment

NEW YORK — Allen L. Dingle, outstanding Harlem lawyer and civic worker, has been named to the City Charter Revision Commission by Mayor Robert F. Wagner.

"The appointment of the new Charter Commission, I am happy to say, constitutes the successful culmination of efforts I have been making since 1958," the Mayor said.

Under the state law which empowered the mayor to name a commission the group must complete its work by August 7, 90 days prior to the next general election on Nov. 7 in order to get it on the ballot.

A previous commission, headed by former Lt. Gov. Frank C. Moore, had recommended strenghtening of the executive powers of the mayor by converting the Board of Estimates into an advisory agency and stripping the five borough presidents of administrative functions.



OATH-TAKING — Manhattan Borough President Edward R. Dudley (left) administers the oath of office to Atty. Richard P. Jones, newly appointed Borough Sercetary, at New York's City Hall last week. The patronage appointment was announced by the Borough President as "my personal appointment."—Saunders Photo

ali types of boxes, in Hudson Falls, N.Y., as a vice-president of the company in the sales section. The firm is headed by Harold Weiselberg. His salary was not disclosed.

He said he has been with the company about three weeks and finds his work status very enjoyable.

Jack, who forfeited his $25,000-a-year borough post when he was sentenced last January on conflict of interests conviction, is awaiting arguments in October in the Appellate Division on the appeal of his case.

Key NAACP lawyer named to U.S. post

NEW YORK — Robert L. Carter, general counsel for the NAACP, will join the staff of the U.S. Attorney's office for the Southern District in Manhattan, it was announced last week.

United States Attorney Robert Morgentheau said that he has requested permission from U.S. Attorney General Robert Kennedy to hire the nationally-prominent NAACP attorney and expected that Mr. Carter would be sworn in early this week.

Morgentheau indicated that Carter would work with his office on a leave of absence from his NAACP post for several weeks on a case involving the Landrum-Griffith labor law.

EARLIER IT was learned that Mr. Carter, who has been frequently mentioned as a possible candidate for a federal judgeship, had turned down the post of chief appellate attorney because of his pressing duties with the NAACP.

It was believed that the special appointment would put Carter in line for a possible judicial appointment, although several other Harlem lawyers have been mentioned for one of the six new federal court posts.

Others who have been named in the New York area as possibilities for the federal court appointment include Jawn Sandifer, state NAACP legal counsel; City Court Justice Darwin W. Telesford and former General Sessions Judge Samuel R. Pierce.

Hulan Jack Takes Former Job With Box Manufacturer

NEW YORK. — (ANP) — Former Manhattan Borough President Hulan Jack, who resigned as a vice-president of a paper box company when he was elected boro head in 1953, has returned to the paper box business, he disclosed last week.

Jack said he has joined the Coratainer Corporation, manufacturers of corrugated containers and

34c(1) 1961

SEPTEMBER

NEW YORK

COUNCILMAN EARL BROWN-APPOINTED MEMBER OF THE HOUSING AND REDEVELOPMENT BOARD SALARY $22,500

EARL BROWN GETS CITY HOUSING POST

P. 29 C

Mayor to Induct Councilman as Board Member Today

Times 9-26-61

By PAUL CROWELL

City Councilman Earl Brown, Democrat of Harlem, will be sworn in by Mayor Wagner at 11:30 A. M. today as a member of the Housing and Redevelopment Board.

The appointment of Mr. Brown fills a vacancy created when Robert C. Weaver left the three-member board last year to become Administrator of the Federal Housing and Home Finance Agency in Washington. Mr. Brown's appointment is for a three-year term at an annual salary of $22,500.

The Mayor also will swear in J. Clarence Davies to continue as chairman of the board and will induct Walter S. Fried, a board member, for a new term of six years. Mr. Davies will serve at the pleasure of the Mayor at his present salary of $25,000. Mr. Fried will continue to serve at a salary of $22,500.

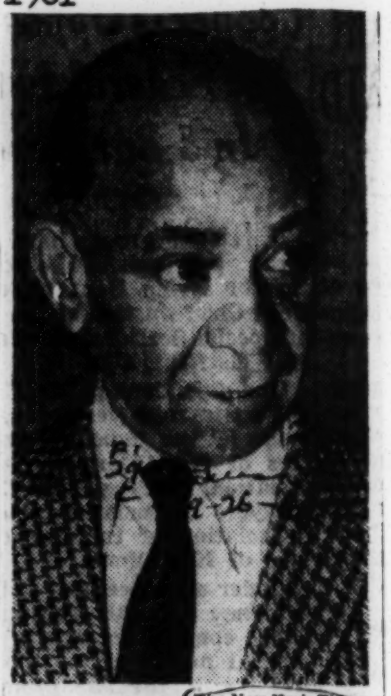
In announcing Mr. Brown's appointment, the Mayor described him as a long-time acquaintance and a "distinguished and valuable member of the City Council" with a fine record in public office and broad background in public affairs.

In political circles, however, the appointment was viewed by some as having been prompted, at least in part, by Mr. Brown's loyalty to the Mayor last winter when the councilman incurred the anger of the "regular" Democratic groups in Harlem by voting for Edward R. Dudley to succeed former Borough President Hulan E. Jack of Manhattan. As a result of Mr. Brown's stand he was denied the Democratic nomination for another term in the City Council.

Elected to Council in 1949

Mr. Brown, a Harvard graduate, is 57 years old. He was first elected to the City Council in 1949 and has servedf continuously since then. He was a co-sponsor of local laws against tdiscrimination in the sale or rental of housing accommodations, whether publicly or privately constructed.

A native of Charlottesville, Va., Mr. Brown taught economics and government at Virginia University. After moving to New York he worked for several news publications in Harlem. Since 1942 he has been an employe of Life magazine, first as a reporter and later as an assistant editor. He is married ot the former Emma L. Moseley. Their home is at 707 Riverside Drive.



The New York Times

ON HOUSING BOARD: Councilman Earl Brown, who was named as a member of Housing and Redevelopment Board by Mayor.

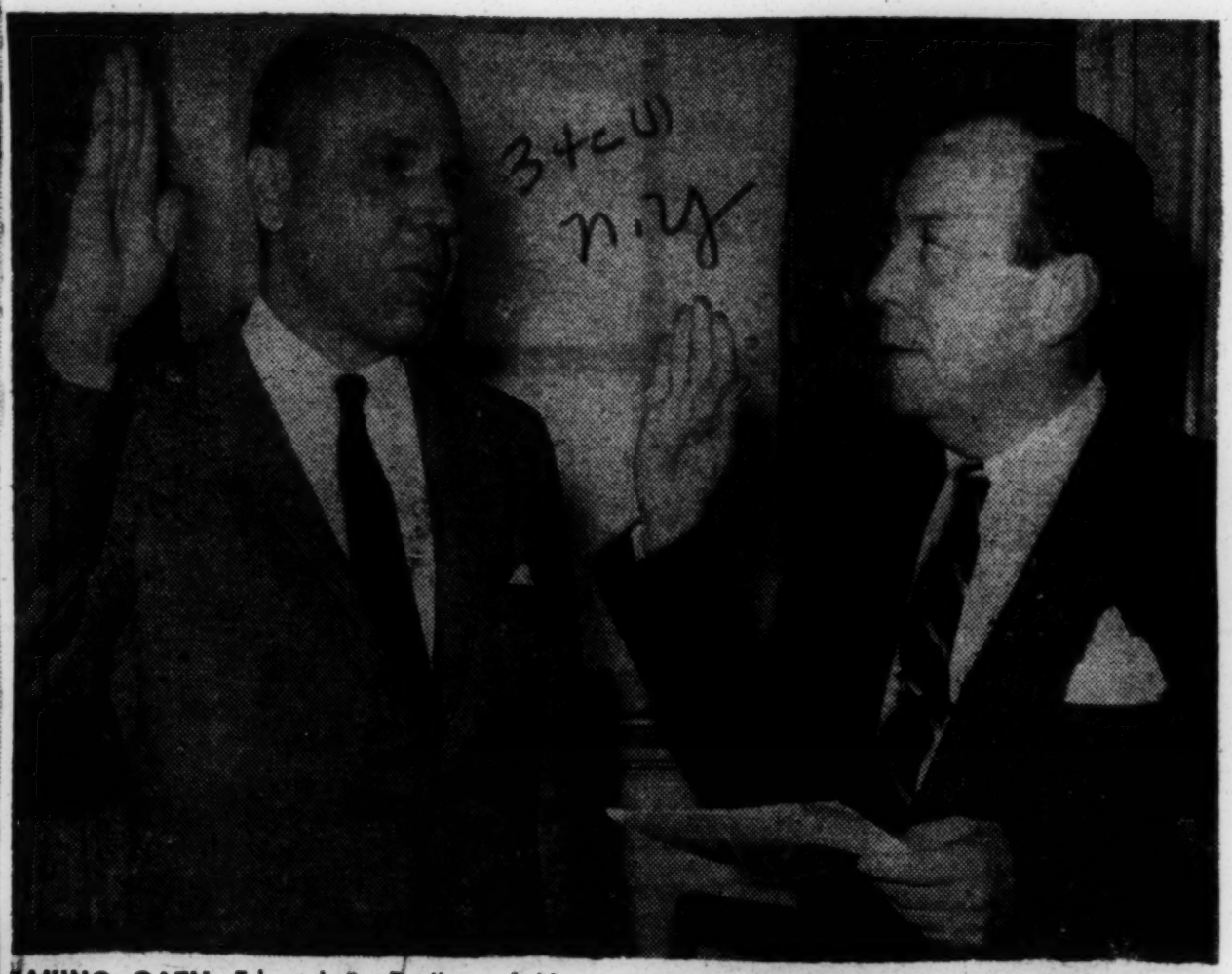
As a Ctiy Councilman Mr. Brown receives a salary of $7,000 plus $3,000 a year for expenses.

Before announcing the appointment of Mr. Brown to the Housing and Redevelopment Board, the Mayor swore in Joseph B. Klein, 54 years old, of 2970 Maroin Avenue, the Bronx, as a member of the Board of Standards and Appeals at an annual salary of $15,000. Mr. Klein will succeed the late Harold Sleeper.

Mr. Klein, who is married and has two sons, attended the Columbia University School of Architecture. He is a member of several professoinal societies in the architectural field. He will enter the city's service after twenty years of association with the architectural and engineering firm of Voorhees Walker Smith Smith & Haines.



OFFICIAL FAMILY — New Manhattan Borough President Edward R. Dudley shown with Mrs. Dudley and their son, Edward R., Jr. Mr. Dudley was formerly a domestic relations judge, having been appointed to that post by Mayor Robert Wager in 1955. He succeeds Hulan Jack as borough president.



TAKING OATH—Edward R. Dudley of New York City, a Domestic Relations Court Justice, takes oath of office after his election as Manhattan Borough President by six Manhattan Councilmen. New York's Mayor Robert F. Wagner is administering the oath. Dudley, 50, succeeds Hulan E. Jack who automatically lost his job when he was given a one-year suspended sentence on conviction recently on a conflict-of-interest charge.

X 34c(1) 1961 N.Y. OCTOBER

ATTY. THURGOOD MARSHALL
JUDGE UNITED STATES COURT OF APPEALS

MARSHALL SWORN AS FEDERAL JUDGE

The New York Times

He Is First Negro to Join U.S. Appeals Bench Here

Times 10-24-61

Thurgood Marshall, former chief legal adviser to the National Association for the Advancement of Colored People, was sworn in yesterday as a judge in the United States Court of Appeals, Second Circuit.

Judge Marshall, who received a recess appointment from President Kennedy pending confirmation by the Senate, is the first Negro to be elevated to the Appeals Court here. 29C

More than 200 persons attended the brief ceremony in the United States ourt House at Foley Square, including Secretary of Labor Arthur J. Goldberg and Senator Jacob K. Javits, Republican, of New York.

Also present was Judge Marshall's wife, ecile Suyat Marshall, and their two sons, Thurgood Jr., 5 years old, and John, 3; and Roy Wilkins, executive secretary of the N. A. A. C. P.; Judge William H. Hastie of the United States Court of Appeals, Third Circuit; Manhattan Borough President Edward R. Dudley; former Police Commissioner Stephen P. Kennedy, and other members of the state and Federal judiciary.

Praised by Chief Judge

Before administering the oath of office, Chief Judge J. Edward Lumbard praised Judge Marshall for his record in the field of civil liberties. He said:

"On behalf of all the judges of this court let me say that we count ourselves fortunate in that the President has seen fit to fill one of the newly created circuit judgeships by nominating so eminent and knowledgeable a member of our bar as Mr. Thurgood Marshall.

"During the past twenty years few, if any, members of the American bar have had so varied an experience in the Federal trial and appellate courts of many Federal circuits.

"For more than twenty years Mr. Marshall has devoted his talents to the great cause of civil rights, and he has contributed to its steady and certain progress of this cause by unremitting labor, legal skill, expert advocacy, loyalty and devotion. It is no surprise that he is now called to serve in a higher capacity in the administration of all our laws as one of our circuit judges.

"Seven years ago on the night of Dec. 8, 1953, when John W. Davis was talking about that day's proceedings in the Supreme Court of the United States in the case of Brown vs. Board of Education, he spoke of Mr. Marshall and said that he had been much impressed with his handling of the court's questions and with his excellent brief.

Mr. Davis said he could not remember when he had had a more effective adversary appearing against him. And he added: 'This fellow is going places.'

"All I need say is: Here he is."



The New York Times Times 10-24-61 P. 29C

TAKES OATH: Thurgood Marshall, who was sworn in yesterday as judge of United States Court of Appeals, with his wife and children, John, 4, left, and Thurgood Jr., 5.

POWELL DISCLOSES CHOICE FOR POST

The N.Y. Times

He Says He Favors George Gregory as Borough Head to Replace Jack

New York

By CHARLES GRUTZNER

Representative Adam Clayton Powell Jr., strongest and most militant of the Harlem Democratic leaders, said yesterday that his first choice for Manhattan Borough President now was Civil Service Commissioner George Gregory Jr. He said his second choice was Deputy Correction Commissioner David D. Jones.

Representative Powell listed his prefences in a telephone conversation from Washington, in commenting on reports that Mayor Wagner and Carmine G. De Sapio might favor City Councilman Earl Brown.

A new Borough President is to be elected by the six Manhattan Councilmen, of whom five are Democrats, after the position becomes vacant on Jan. 16. At that time Borough President Hulan E. Jack, will be sentenced for conflict of interest and conspiracy.

Three of the five Negro district leaders in Harlem were said to be inclined to accept Mr. Brown if the Mayor and Mr. De Sapio agreed on him. Mr. Jack is a Negro, as is Councilman Brown. Both of Mr. Powell's choices are Negroes.

Gives His Choice

Representative Powell did not say that he would not go along on Mr. Brown's selection under any circumstances. But he repeated that his original choice had been Robert C. Weaver, who has since been designated Federal Housing and Home Finance Administrator. Mr. Powell then said he favored Mr. Gregory or Mr. Jones.

The Mayor had indicated he could count on the votes of three Democratic councilmen to elect Mr. Brown, with his own vote breaking the tie. But Mr. Wagner would prefer to settle the issue without an open shutdown that would lead to a primary fight this year when he and the new Borough President come up for election.

Mr. De Sapio said yesterday there would be conferences over the week-end among Democratic leaders, several of whom have been in Washington or Albany this week. Representative Powell will meet with Mr. De Sapio on Monday.

City Clerk Suggested

The name of City Clerk Herman Katz was entered in the list of Borough Presidential hopefuls yesterday by the Cherokee Club of the Tenth Assembly District South in Yorkville. Mr. Katz had been the original Tammany choice for Borough President in 1953 but withdrew his candidacy in the interest of Democratic harmony.

Mr. Katz, who had been an Assemblyman since 1949, resigned his legislative post in 1958 to accept appointment by the City Council to the $15,000 job of City Clerk.

The Cherokee Club, of which Mr. Katz is a governor, asked Mr. De Sapio, Mayor Wagner and the Manhattan City Councilmen to support him for Borough President.

POWELL IS FACING 2D U. S. TAX TRIAL

The N.Y. Times

His Ex-Wife, Hazel Scott, Sought as Witness Against Him on Fraud Charges

New York

Hazel Scott, jazz pianist and former wife of Representative Adam Clayton Powell Jr., may be called in a possible second trial for the Congressman on income-tax fraud charges.

United States Attorney Morton S. Robson said yesterday that he had not made any final recommendation to the Justice Department on whether the charges should be dismissed. The first trial ended with the killing of two of the charges and a hung jury on the third.

On Sunday Mr. Powell said on "Meet the Press" over the National Broadcasting Company television network that he understood that a recommendation for dismissal of the charges had been made to the Justice Department.

Jan. 2-14-61

Study Being Made

Mr. Robson said a further investigation was being conducted and he was seeking additional witnesses.

The prosecutor said he hoped to meet with Miss Scott soon to see if she could testify for the Government. She divorced Mr. Powell last November, and both have since remarried.

Mr. Powell, a Manhattan Democrat who is the new chairman of the House Education and Labor Committee, was originally indicted in connection with his filing of Miss Scott's 1951 income-tax return. Two counts charged tax evasion, and the third charged that he had willfully filed a false return.

During a seven-week trial last March and April, Federal Judge Frederick vanPelt Bryan threw out the evasion charges. The jury, which stood 10 to 2 for acquittal, was discharged after it had disagreed on the third count.

Israel Earnings at Issue

Miss Scott reportedly would be in a position to provide the Government with testimony on earnings of $5,600 for ten concerts she gave in Israel. Because the Government could not obtain a witness from Israel to testify to such earnings, Judge Bryan refused to let these facts into evidence at the trial.

In addition Miss Scott presumably would be able to testify to the validity of deductions taken by Mr. Powell on her tax return.

If Miss Scott is unable to give testimony for the Government, it was considered most likely that Mr. Robson would finally recommend that the charges be dropped.

Says Powell To Pick Hulan Jack Successor

Chicago Defender

NEW YORK — Harlem politicians may deny it, but Congressman Adam C. Powell will name the Negro successor to ex-Manhattan Borough President Hulan Jack. Powell has remained from the Harlem scene recently but his lieutenants have been working overtime.

In the meantime Hulan Jack is fighting to save his 9G pension money. Negroes have been hard hit by scandal in the City this year. Jack is the latest. A judge was forced to step down, a department of weights and measure official and a court officer also lost their jobs.

Powell Gives His Wife Raise of $9,900 a Year



Associated Press

Mrs. Adam Clayton Powell

The N.Y. Times

New York, N.Y.

WASHINGTON, Feb. 2 (UPI)—Representative Adam Clayton Powell Jr., Democrat of Manhattan, has given his secretary a $9,900-a-year raise since he married her, the House payroll revealed today.

The January payroll, which became available today, showed that Mr. Powell had set the pay of his secretary-wife at $12,974 a year. Before their marriage, Mrs. Powell, the former Yvette Marjorie Flores, was paid $3,074 annually.

Mrs. Powell, who married the Representative Dec. 15, is the highest paid of his six assistants.

Powell Hits Harassment Of Unionist

The Montgomery Advertiser

Montgomery, Ala.

WASHINGTON (AP) — Rep. Adam Clayton Powell, D-N. Y., said Sunday that since Teamster President James R. Hoffa is not in prison "it means he's not as bad as they say he is."

Powell, chairman of the House Labor and Education Committee, said by "they" he meant "those who are in charge of the justice in our country, both state, federal and local."

During Powell's appearance on a taped radio interview, "Radio News Conference", a questioner noted that Atty. Gen. Robert F. Kennedy had been a vigorous foe of Hoffa while Kennedy was chief counsel for the now defunct Senate rackets committee.

"I don't know anything about the facts involved," Powell replied. "All I know is what I read in the press. I've never seen Hoffa. I've never heard him, never received a letter from him, never talked to him."

However, Powell asked, "If any body is as bad as he is supposed to be, then why isn't he in prison?"

"Mr. Hoffa has just completely vindicated himself legally before the courts and now comes the free elections in May," Powell said.

This referred to last week's court decision abolishing a board of monitors and permitting Hoffa to call a union convention, where he apparently is confident of winning re-election.

Powell said he didn't think it was necessary for Robert Kennedy to make any public retraction, but he added: "In the American democracy if you have something on a man you either try him or stop harassing him. I don't believe in harassment."

Hoffa faces trial in Florida in connection with a land deal. The charges were brought by the Justice Department under the Eisenhower administration.

Powell Raps U.S. Attitude At Banquet

The Courier

Pittsburgh, Pa.

NEW YORK — Cong. Adam Clayton Powell, the "Voice of Harlem," lashed America's outmoded attitudes before some of the nation's most prominent figures on Sunday, at a testimonial banquet honoring him as new chairman of the House Committee on Education and Labor.

• Among the more than a thousand persons who crammed the main ballroom of the Hotel Commodore, were Gov. Abraham Ribicoff, Secretary of Health, Education and Welfare, and Labor Secretary Arthur J. Goldberg.

Both were making their first appearances as members of President Kennedy's cabinet.

Mincing no words, Powell said, "Because of massive bigotry, we as a nation have reaped mediocrity in the fields of education and labor. Today, our land is reeling from the repercussions of this self-made miasma of the Fifties—the Decadent Decade."

Powell struck out at the split personality of American democracy saying, "Africa, Asia and Latin America, the keys to our international and diplomatic future, are wondering what kind of double-talking, double-dealing democracy we are preaching abroad, and yet refusing to practice at home. We find this type of shoddy democracy even holding sway in some of our labor unions."

■

POWELL, WHOSE qualifications to head the powerful committee have been questioned not only by Southerners, but by some liberals, exonerated himself in strong terms.

"I come . . . totally free to do that, which I feel is best for our land. During the past years, I have been exposed to all types of purges, persecution, prosecution and promises. I come with a record in the field of labor that is one of the best of many men in Congress, and yet I come with my hands free, because labor has not been the force that has made me what I am today . . . the force has been the people," he said.

He asserted that as the new chairman he would, "do my best **"I AGREE THAT** the South should be granted for higher education; money badly for education, cation in those institutions that

stream of human progress."

Rights Commission's report, which states, 'No Federal funds

and Labor back into the main-

discriminate on the grounds of race, color, religion or national origin,'" he said.

Other speakers on the program included Mayor Robert Wagner and A Philip Randolph, Pullman Porter head, and vice-president of the AFL-CIO. Honoras for of the sponsoring c which included top officials and educato

Powell lashes out at U.S. bigotry

The Afro-American
Baltimore, Md.

By STEVE W. DUNCAN

NEW YORK — Congressman Adam Clayton Powell Sunday called for a bold new frontier for the House Labor and Education Committee which would include implementation of the Powell Amendment either through legislation or executive order.

Rep. Powell outlined his proposal to withhold federal funds from segregated schools at a testimonial honoring his pending assumption of the chairmanship of the House Labor and Education Committee.

Approximately 1,600 persons jammed the main ballroom of the Hotel Commodore to attend the affair for the Harlem Democrat.

In fact, the crowd was so massive that Carmine DeSapio, New York Democratic leader, was kept waiting in the hall while seating arrangements were made for him.

* * *

A TELEGRAM read from President Kennedy expressing his "warm regards" for the civil rights fighter left no doubt that Rep. Powell would assume the chairmanship of the powerful committee.

"Adam has had many careers but none more challenging than his new role as chairman of the House Labor and Education Committee," President Kennedy wrote. "There he will play an important part in carrying through the program of the new Administration.

"I know he will succeed in this as he has succeeded in so many of his past efforts to protect and advance the human and civil rights of all Americans."

TWO CABINET members were guest speakers at the testimonial sponsored by the Abyssinian Baptist Church and the Citizens Committee of One Thousand. They were Abraham A. Ribicoff, Secretary of Health, Education and Welfare, and Arthur J. Goldberg, Secretary of Labor.

"I believe that the Powell Amendment must, in this Congress, be enacted, either through legislation by the Congress or by executive order of the White House, because the time is long overdue when the law of the land, the Supreme Court decision of 1954, should be undergirded by the executive and legislative branches," declared Congressman Powell.

He noted caustically that last month President Eisenhower's Civil Rights Commission recommended that federal funds be withheld from institutions of higher education practicing discrimination.

* * *

HE ADDED:

"For five years I have been fighting, through the Powell Amendment, to see that such funds should be denied, and the Eisenhower Administration has consistently refused to agree with my point of view . . .

"The President's personal Commission agrees with the Powell Amendment.

"More important than that and more interesting, is the fact that the former Attorney General, William Rogers, on Jan. 17 this year endorsed the Powell Amendment by saying that he believes that federal funds should be withheld from those public colleges that discriminate against colored persons."

At one point, he stated, "For years, I have been the demagogue, the racist, the flamboyant Mr. Powell presenting the Powell Amendment to the aid-to-education bill."

* * *

CONGRESSMAN POWELL called for the enactment of fair employment practices legislation.

He pledged that his committee would foster a crash program to solve the problems of education, unemployment and labor-management relations.

America, he said, should also provide more full scholarships "for the young minds of Asia, Africa and Latin America."

Congressman Powell said he is approaching his new task free to do what he feels is best for the country.

"During the past years, I have personally been exposed to all types of purges, persecution, prosecution and promises," he told the enthusiastic audience.

"I come with a record in the field of labor that is one of the best of many men in Congress, and yet I come with my hands free, because labor has not been the force that has made me what I am today—the force has been the people."

* * *

THE HARLEM LEADER reasserted his position that the Manhatten borough presidency should go to a colored person.

After introducing his son, Adam Jr., to the audience, the congressman said he was preparing to enter Harvard College, adding this quip: "You know, I think more people are going to Harvard than are going to heaven."

Congressman Powell was introduced by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters, who was toastmaster for the evening.

Mr. Randolph noted that when Congressman Powell assumes the chairmanship of the Committee on Labor and Education he will be in position to do something about the "deepening and widening economic crisis" in this country.

Will She Testify For Government?

Journal and Guide
Norfolk, Va.

Hazel Scott Holds Key To Powell's Tax Problem

2-25-61

NEW YORK —(ANP) —Pianist Hazel Scott who recently married Ezio Bedin, a 25-year old Swiss entertainer, may be called on to testify against her former husband, Rep. Adam Clayton Powell, if the government decides to proceed with a second trial on charges of income tax evasion.

United States Attorney Morton S. Robson said last week that he had not made any final recommendation to the Justice Department on whether the charges should be dismissed.

THE FIRST trial ended with the killing of two of the charges and a hung jury on the third. Powell said on "Meet The Press" over the National Broad casting Company television network that he understood that a recommendation for dismissal of the charges had been made to the Justice Department.

Robson said a further investigation was being conducted and he was seeking additional witnesses.

THE PROSECUTOR said he hoped to meet with Miss Scott soon to see if she could testify for the Government. She divorced Powell last November, and both have since remarried.

Powell, was originally indicted in connection with his filing of Miss Scott's, 1951 income - tax return. Two counts charged tax evasion, and the third charged that he had willfully filed a false return.

DURING A seven - week trial last March and April, Federal Judge Frederick Van Pelt Bryan threw out the evasion charges. The jury, which stood 10 to 2 for acquittal, was discharged after it had disagreed on the third count.

Miss Scott, reportedly would be in a position to provide the Government with testimony on earnings of $5,600 for ten concerts she gave in Israel. Because the Government could not obtain a witness from Israel to testify to such earnings, Judge Bryan refused to let these facts into evidence at the trial.

IN ADDITION Miss Scott presumably would be able to testify to the validity of deductions taken by Powell on her tax return.

If Miss Scott is unable to give testimony for the Government, it was considered most likely that Robson would finally recommend that the charges be dropped.

Powell Reshuffles Committee To Push Through JFK Plans

The Montgomery Advertiser
Montgomery, Ala.
2-12-61

WASHINGTON (AP) — Chairman Adam Clayton Powell, D-N.Y., Thursday whipped through a reorganization of the House Education and Labor Committee that assures prompt and favorable action on administration proposals.

34c(1)

In his first formal session as head of the committee, the Negro congressman threw out the old system of having subcommittees handle specific areas of legislation, except for the broad designation of either labor or education.

Instead, Powell will assign the bills as he wishes, and Democrats favorable to the Kennedy program have been placed at the head of most subcommittees.

MAJOR CHANGE

One major change removes Rep Phil M. Landrum, D-Ga., from a position where he can exert control over labor legislation. Landrum, who coauthored the Landrum-Griffin labor law, retains a subcommittee chairmanship but it will deal with education.

Rep. James Roosevelt, D-Calif., a strong backer of President Kennedy's minimum wage bill, has been given a labor subcommittee and placed in charge of that measure.

The speed with which Powell proposes to have the committee act on matters he considers important is seen in the schedule set for the minimum wage bill, which would raise the present $1-an-hour minimum to $1.25 and extend coverage to an additional 4.3 million workers.

Hearings before Roosevelt's subcommittee begin Friday and will continue Monday and Tuesday. Powell said it is possible the subcommittee will report a bill to the full committee by next Thursday.

Similar speedy action will be taken on the administration's school bill, which is due to come from the White House next week, Powell told reporters after the meeting.

Powell Would Ease Race Stand To Help Kennedy Program Pass

New York N.Y. Times

Representative Adam Clayton Powell Jr. said yesterday that he would not press for inclusion of a racial discrimination ban in education and housing bills if he felt that President Kennedy, by executive order, would uphold laws against discrimination.

2-13-61

Asked whether he felt the President had such power, he replied that Mr. Kennedy was morally and legally bound to take such action. He recalled that Presidents Dwight D. Eisenhower, Harry S. Truman and Franklin D. Roosevelt had acted against various phases of discrimination through executive orders.

Mr. Powell, who is the new chairman of the House Education and Labor Committee, explained that he would be willing to withhold his amendment under the circumstances because he thought it would improve the chances of passage.

The Powell amendment, proposed repeatedly by the Manhattan Democrat, would ban Federal education and aid funds to states or municipalities that enforce local segregation laws covering schools and housing in defiance of Federal decisions.

Mr. Powell appeared on "Meet the Press" over the National Broadcasting Company television network. He said that although he felt President Kennedy's appointments and statements had improved the climate for civil rights at the executive level, he still believed that withholding aid funds would be the shortest path toward desegration.

He made it clear, however, that if he felt that the climate favoring civil rights was not being maintained in Washington he would offer his amendment from the House floor. He said he expected further appointments and other White House actions before the President's education aid program would be acted on by the House. These, he said, would indicate whether it would be necessary to offer the amendment.

The program is expected to go to Congress this week, but the Manhattan Democrat said he did not expect the House to act on it before Easter.

He said the President's proposals on education would include a states rights option under which states would be given grants and allowed to decide whether the money would be used for constructing new buildings or increasing the pay of teachers, or both. He said he was in favor of this.

But Mr. Powell said he disagreed with the President's plan for outright scholarship grants. He said he did not believe in outright Government gifts of scholarships for higher education at the Government's expense, but favored scholarship loans that would be repaid after graduation on a long-term basis.

POWELL DISCARDS A HOUSE SYSTEM

N.Y. Times

He Reorganizes Education and Labor Unit's Agenda —J. Roosevelt Picked

New York N.Y.

WASHINGTON, Feb. 16 (AP) — Representative Adam Clayton Powell Jr., Democrat of Manhattan, today whipped through a reorganization of the House Education and Labor Committee that assures prompt and favorable action on administration proposals.

In his first formal session as Chairman of the committee, Mr. Powell threw out the old system of having subcommittees handle specific areas of legislation, except for the broad designation of either labor or education.

Instead, Mr. Powell will assign the bills as he wishes, and Democrats favorable to the Kennedy program have been placed at the head of most subcommittees.

One major change removes Representative Phil M. Landrum, Democrat of Georgia, from a position where he can exert control over labor legislation. Mr. Landrum, who coauthored the Landrum-Griffin labor law, retains a subcommittee chairmanship but it will deal with education.

Representative James Roosevelt, Democrat of California, a strong backer of President Kennedy's minimum wage bill, has been given a labor subcommittee and placed in charge of that measure.

Speed-up Is Evident

The speed with which Mr. Powell proposes to have the committee act on matters he considers important is seen in the schedule set for the minimum-wage bill, which would raise the present $1-an-hour minimum to $1.25 and extend coverage to an additional 4,300,000 workers.

Hearings before Mr. Roosevelt's subcommittee begin tomorrow and will continue Monday and Tuesday. Mr. Powell said it was possible the subcommittee would report a bill to the full committee by next Thursday.

Last session, when Representative Graham A. Barden of North Carolina, a conservative Southern Democrat, was chairman, Mr. Landrum headed the subcommittee that worked on the minimum-wage bill. Hearings lasted more than two months and final action by the committee was repeatedly delayed by Mr. Barden.

Similar speedy action will be taken on the Adminisrtation's school bill, which is due to come from the White House next week, Mr. Powell told reporters after the meeting.

All changes in the committee rules were adopted unanimously, Mr. Powell said.

POWELL DEMANDS ANTI-BIAS ACTION

N.Y. Times

Says Congress or Kennedy Must Carry Out His Plan to Bar U. S. School Aid

New York
34c(1)
2-17-61

By PETER KIHSS

Representative Adam Clayton Powell Jr. demanded last night that his long-pending proposal to bar Federal funds to schools discriminating against Negroes be adopted now either through legislation or "Executive order of the White House."

The Harlem Democrat was guest of honor at a testimonal dinner addressed by two Cabinet members—Abraham A. Ribicoff, Secretary of Health, Education and Welfare, and Arthur J. Goldberg, Secretary of Labor—at the Commodore Hotel.

In his address, Secretary Ribicoff suggested that American cities might try to use lower floors of skyscraper apartment houses as classrooms for younger students. This, he noted, would go beyond a plan under study by the Board of Education here for a high school on the first eight floors of a forty-one-story commercial building.

1,600 Attend Dinner

Secretary Goldberg announced he was starting recruitment in Negro schools and colleges to bring more Negroes into the Labor Department. The President's Committee on Government Contracts, he said, is being strengthened for a battle against discrimination " under the aggressive leadership of Vice Presidnt Lyndon B. Johnson."

Sixteen hundred persons attended the testimonial for Representative Powell, which marked his forthcoming chairmanship of the House Committee on Education and Labor under the seniority rule. Mayor Wagner was on the speakers' list for greetings.

In fighting form, Mr. Powell said that "artificial unemployment is now probably our national No. 1 problem." He defined this as joblessness due largely to "a rising flood of cheap imports" and "increasing automation."

Complaining that the Eisenhower Administration had refused for five years to accept his anti-segregation proposal, Mr. Powell said that it had ended by agreeing with his plan. He cited a report Jan. 15 by the Civil Rights Commission, urging Federal aid be withheld from public colleges and universities engaging in discrimination. He also cited an endorsement Jan. 15 of this by William P. Rogers, the outgoing Attorney General.

Flinging out his demand for legislation or a White House Executive order—in effect a challenge to President Kennedy—Mr. Powell said, "the time is long overdue."

As new chairman of the education and labor group, Mr. Powell laid out a program that would curtail damaging imports and said he would if necessary "push for a thirty-two-hour four-day week."

Phoenix 1-30-61

Inquiry Into N.L.R.B.

He proposed investigating the National Labor Relations Board, examining "some type of fair employment practices legislation," studying whether apprentice training involved discrimination, providing scholarships here for Asians, Africans and Latin-Americans and advancing a peace corps abroad and science education here.

Mr. Powell, now in his ninth term in Congress, told the dinner he came to his new post "totally free to do that which I feel is best for our land."

"During the past years," he said, "I have personally been exposed to all types of purges, persecution, prosecution and promises. I come with a record in the field of labor that is one of the best of many men in Congress, and yet I come with my hands free, because labor has not been the force that has made me what I am today—the force has been the people."

Mr. Powell still has hanging over his head a 1958 indictment for income tax evasion, because a Federal jury failed to reach a verdict last April although favoring his acquittal by ten votes to two.

His rise to the House chairmanship was opposed last February by George Meany, president of the merged labor movement, because Mr. Meany said, Mr. Powell had stirred up racism and because of his record of House absences and voting.

Last night, Secretary Ribicoff praised Mr. Powell, saying "his life has been one of service to humanity." Secretary Goldberg said Mr. Powell had "an important responsibility," and he looked forward to working with the Representative.

The $12.50-a-plate dinner was arranged by the Abyssinian Baptist Church, of which Mr. Powell is minister, and a special Citizens Committee of One Thousand. Angier Biddle Duke, new chief of protocol of the State Department, had been honorary chairman but was unable to attend.

Eleven House members were listed as dais guests. A. Philip Randolph, vice president of the merged labor movement, was master of ceremonies. Secretary Ribicoff urged that "works well in London and Paris" as well as money for education. A dual-purpose "fresh ideas" as well as money department house and elemen-

Inside Labor—

Powell Sets Off Blast At Labor

Union Desegregation Price Of Getting Legislation From His Group

By VICTOR RIESEL

NEW YORK, Feb. 4. — The air was acrid in the Hotel Commodore's grand ballroom last Sunday night — but absolutely not because the 1,600 folks at the banquet were smoking nervously. They were, in fact, sitting almost stone-like and silent while the atmosphere was being burned by the Ciceronian oratory of the guest of honor, Negro Representative Adam Clayton Powell. And of those forces he cut apart that evening, labor was most scientifically vivisected.



Mr. Riesel

It seemed to us who stayed through to the end that Powell was declaring war on labor's leadership.

Powell was making national news because he is the chairman of the House Labor Committee—and all labor must come to him to get what it wants. Without approval of his group, no labor legislation can move on to the Rules Committee.

It was obvious that if Powell held out his hand to labor, his fist would hold a legislative club, not an olive branch. He made not the slightest effort to exclude the 150 labor chiefs present when, at the end of his talk, he asserted that:

"There is a saying up in Harlem that when we get our Negro up, all hell breaks loose."

Sees 'Shoddy Democracy'

It had been that way all through his defiant speech. Almost in his first words, after attacking "double-talking, double-dealing democracy . . ." the leader of the nation's largest Negro parish shouted:

"We find this type of shoddy democracy even holding sway in some of our labor unions."

Then he really told them off. Labor "gave me no help" he said.

". . . some labor leaders have said, 'What's good for labor is good for America.' I reject these statements and all others. I say what's good for America is good for Americans."

With the touch of a master dramatist he set his stage—and dais—carefully. Not only were two of President Kennedy's Cabinet there, but also 11 pro-labor members of Powell's new congressional committee, and powerful state Democratic Party leaders.

Speaking To Craft Unions

Insiders were aware that Powell was telling the labor leaders they would now have to open their ranks to Negroes. They would, from now on, get no friendly assist from the Labor Committee chairman, unless segregated locals were integrated into regular union membership. He was saying, too, that young Negroes now would have to be placed on the unions' apprentice training lists and in their schools.

To whom was he saying all this? Mostly, of course, to the old craft unions in the building and construction trades — the plumbers, the hod carriers, the carpenters, the operating engineers, the molders and all the rest whose skills have made them the highest paid workmen in the world.

They were listening that night and wondering what he meant by "all hell breaking loose." They wanted something of this congressman's committee. They wanted what the past three presidents had promised them — "common site picketing." This is the right to picket one contractor who is working on a common site with other contractors—Cape Canaveral, for example.

Such picketing would not only shut down the lone struck contractor, but 50 others, thus paralyzing the entire construction job. Today, this is illegal. To get such a picketing law through Congress they must first get it past Mr. Powell's Labor Committee. But before this happens, they'll have to deliver desegregation to Powell.

That's what made it such a fascinating banquet speech.

34c(1) 1961

NORTH CAROLINA

New appointment keeps NC postal dynasty alive

Geo American 63
Dat 11-19-61
Baltimore Md

RALEIGH, N.C. — Mrs. Harveleigh Monte Rivera White of Method has been appointed Post Master of the Post Office in Method, N.C.

Her appointment was made by R. Jack Williams, field service representative for the United States Post Office Department, Region 6, Atlanta.

Mrs. White was sworn into office by W. C. Hubbard, Raleigh Postal Inspector.

* * *

MRS. WHITE is a native of Mt. Olive, N.C., and a 1945 graduate of Shaw University.

Prior to assuming her present position she was Acting Chairman of the Home Economics Department at Shaw University and taught at the college for a period of nine years. She has previously taught at Monroe and Reidsville, N.C.

The office of Post Master of the Method Post Office has been in the White family since its inception, seventy-seven years ago. The first Method Post Master was Berry O'Kelly, Mr. White's uncle.

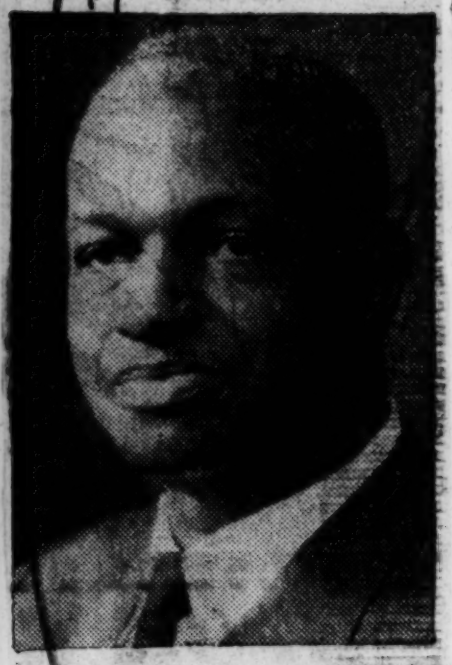
MR. O'KELLY was succeeded by Mr. White's father the late Algernon White. Mrs. White's husband, J. O. White succeeded his father in the capacity of acting Post Master for five years until Mrs. White was officially appointed.

The Whites have two children, Marion Ramona, 13, and John Owen Jr., 5.



MRS. H. M. R. WHITE

Carolinian Named To State Welfare Board by Governor



DR S. E. DUNCAN

Dr. S. E. Duncan, president of Livingstone College, was appointed to the State Board of Welfare in a record - shattering action taken by North Carolina's Governor Terry Sanford on Wednesday, July 12. Dr. Duncan thus becomes the first Negro to serve on this high level board.

In commenting on the appointment the tar heel executive said he considered this a "fair" consideration, due to the large number of Negroes receiving assistance from the board.

Salisbury native, Dr. Duncan attended elementary and high school at Livingstone College and was graduated with the B. A. degree in 1927. He received the M.A. and Ph. D. degree from Cornell University, Ithaca, New York. He has served as teacher and principal of the Dunbar High School East Spencer and the Washington High School Reidsville. In 1946, he joined the North Carolina State Department of Public Instruction as supervisor of Negro high schools.

In 1958 Dr. Duncan was elected Livingstone's fifth president and in a relatively short period has succeeded in initiating a tremendous program of progress and growth. At present the institution is in the midst of a $1,000,000 building program with three buildings currently under construction. The faculty has been greatly enlarged and strengthened, the instructional program has been intensified, and the general morale of the school brought to new heights.

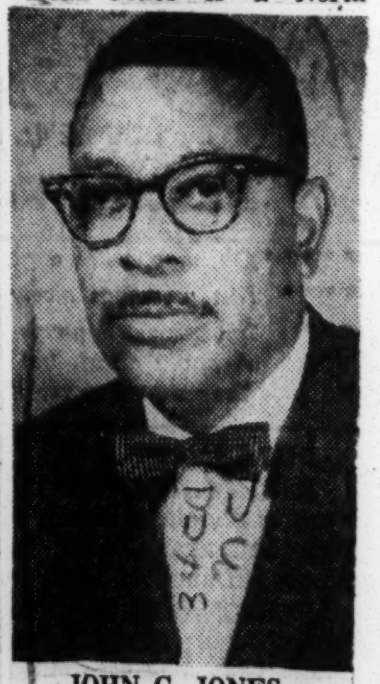
Dr. and Mrs. Duncan were away on vacation when the announcement of his appointment came

Fayetteville State dean gains NC advisory post

FAYETTEVILLE, N.C. — North Carolina Governor Terry Sanford has appointed Fayetteville State Teachers College's dean of students to an advisory board post.

The governor named Dean John C. Jones, who also instructs history at the college, to membership on the Advisory Board to the North Carolina Board of Corrections and Training.

Dean Jones is a North



JOHN C. JONES

Carolina native and previously served a seven-year period as rehabilitation counselor in the State's Prison Department.

HE WAS born in New Bern and holds a bachelor's and master degree from North Carolina College.

Dean Jones is married to the former Miss Alice Chavions. Their daughter Alice-Yvonne is eight.

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34c(1) 1961

Dr. Elder Picked By Governor

Mapping State Goals And Methods Is Job Of 24-Member Unit

DURHAM, N. C. — The president of North Carolina College at Durham, Dr. Alfonso Elder, has been appointed by Governor Terry Sanford to a committee charged with an all - embracing study of higher education in North Carolina.

Breaking a long - standing precedent in Southern states, Governor Sanford has named several Negroes to policy-making boards. However, the 24-man committee, on which President Elder is the lone Negro, is considered the most important board set up by the Tar Heel chief executive.

GOVERNOR Sanford won election on a campaign of bringing "quality education" to North Carolina. Since he took office last January, the legislature has increased salaries of public school teachers by 18 to 20 per cent and has projected broad plans of improvement for all state supported institutions.

With Dr. Elder on the committee are,, among others, the chairman, L. P. McLendon of the State Board of Higher Education; Dallas Herring, chairman of the State Board of Education President Deryl Hart of Duke University, and President William C. Friday of the University of North Carolina.

DR. ELDER IS the second president of North Carolina College. Since he succeeded the late founder and first president, Dr. James E. Shepard, in 1947, he has guided the Durham institution to the front ranks of small liberal arts colleges.

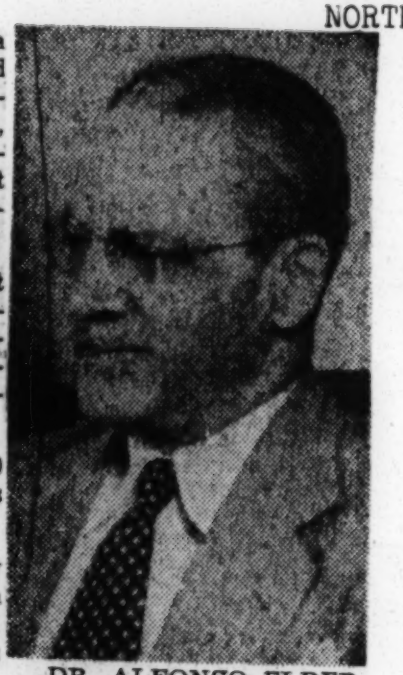
NCC was one of the first predominantly Negro institutions to win unrestricted membership in the Southern Association of Colleges and Secondary Schools.

MORE THAN half of the 160 interracial faculty members hold doctorate degrees.

The college was the first predominantly Negro institution to award the Ph.D. degree,, and NCC graduates, in such fields as the arts and sciences, education, law,, library science, public health, and public health nursing, are frequent winners of scholarships and fellowships in national competition.

TYPICAL OF their record in employment is the fact that five NCC graduates were among the first to be hired for executive positions in government under President Kennedy's new emphasis on non-discriminatory hiring practices.

The governor's new commission will identify and define the state's needs in higher education and recommend means of meeting these needs. The governor has requested a study on prospective enrollments, with an optimum growth plan for existing institutions; a study of needs for faculty members and what their salaries should be; and how higher education can best be financed, including the likely costs over the next 15 years of capital improvements and operations.



DR. ALFONSO ELDER
Honored By Governor

Educator Named By Governor

Journal & Guide

6 1

Employment Security Commission Gets 1st Negro Member

Sat 1-15-61

RALEIGH (UPI) — The first Negro ever to be named to a term on the North Carolina Employment Security Commission was included in the four appointments made by Gov. Terry Sanford over the weekend.

Dr. James Ward Seabrook, past president of Fayetteville State Teachers College and Johnson C. Smith University, is a former member of the commission's advisory committee. He was appointed to the advisory group in 1953 by the late Gov. William B. Umstead.

Norfolk, Va.

OTHERS NAMED to four-year terms on the commission by Gov. Sanford were Col. Henry E. Kendall of Raleigh, Dr. Maurice T. Van Hecke of Chapel Hill, and Thomas B. O'Conner of Forest city.

Mr. Kendall, president of the national Organization of Employment Security Agencies, has served as chairman of the State Commission since 1946.

MR. VAN HECKE is a former president of the American Bar Association and one - time dean of the UNC Law School. He has been on the faculty at UNC since 1928 and also is a former member of President Harry Truman's Commission on Migratory Labor.

Mr. O'Conner is general manager and comptroller of Laurel Mills, Inc., and national committeeman for the Carolinas Division of the National Conference of Christians and Jews.

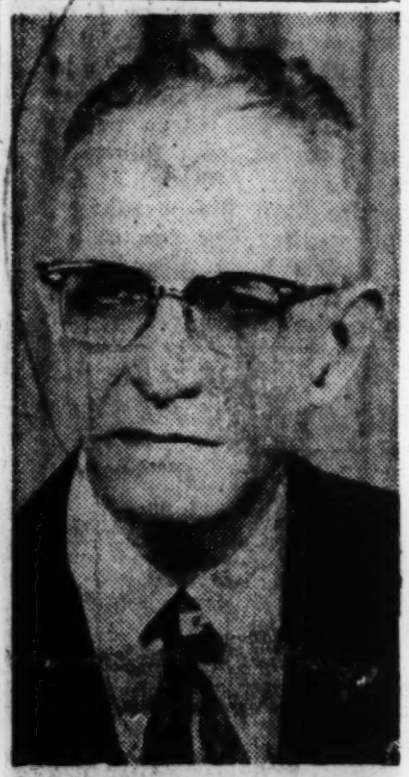
Notified of his appointment, Dr. Seabrook stated: "I am deeply appreciative of the confidence Governor Sanford has placed in me and I hope that I may be able to serve the people of North Carolina with some degree of efficiency."

DR. SEABROOK had served as president of the Fayetteville State Teachers College from 1933 to 1956 and then was president of Johnson C. Smith University, his alma mater, for one year. President Emeritus Seabrook has been connected with the Fayetteville College since 1922 when he left a teaching post at Johnson C. Smith University to accept a position as vice-principal and subsequently, as dean of the Fayetteville institution, and upon the retirement of Dr. Ezekiel E. Smith in 1933, was advanced to the presidency of the institution.

Born in Sumter, S. C., Dr. Seabrook was educated at Johnson C. Smith University and at New York, Chicago, and Columbia Universities.

He has served as secretary of the Board of Trustees of Johnson C. Smith University; member, Board of Trustees of Colored Orphanage; chairman, board of directors of Hammocks Beach Corporation; member, board of directors of Cape Fear Valley Hospital; member of Army Advisory Commission, Third Corps Area; the State Employment Council of the North Carolina Employment Security Commission; the Governor's Traffic Safety Council; the President's White House Conference, and the Survey Commission of the Methodist Colleges.

Named To State Commission



DR. J. WARD SEABROOK
Tapped By Governor

Sat 1-15-61

Dr. J. Ward Seabrook gets North Carolina ESC post

FAYETTEVILLE, N.C. — One of four men recently appointed by Gov. Terry Sanford to a four - year term on the North Carolina Employment Security Commission was Dr. J. Ward Seabrook, the first of his race ever to be named to a post on the commission.

Dr. Seabrook was appointed in 1953 by the late Gov. William B. Umstead to the Advisory Committee to the North Carolina Employment Security Commission, and has served in that capacity until the present appointment to the Commission.

Upon his being notified of his appointment, Dr. Seabrook remarked:

"I am deeply appreciative of the confidence Governor Sanford has placed in me and hope that I may be able to serve the people of North Carolina with some degree of efficiency."

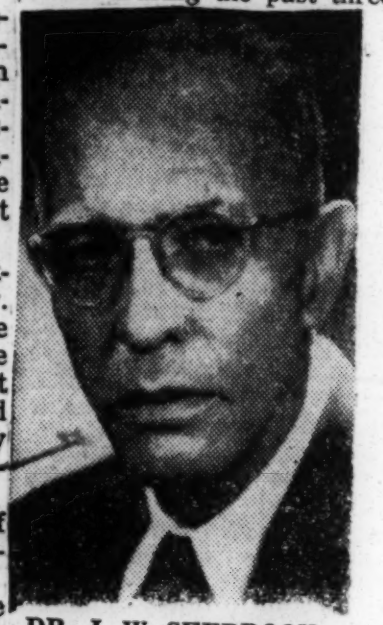
* * *

PRIOR TO his recent retirement, Dr. Seabrook had served as president of the Fayetteville State Teachers College from 1933 until retiring in 1956. He then was president of Johnson C. Smith University, his alma mater, for one year.

Dr. Seabrook has been connected with the Fayetteville college since 1922 when he left a teaching post at Johnson C. Smith University to accept the position as vice principal and subsequently as dean.

Upon the retirement of Dr. Ezekiel E. Smith in 1933, he was advanced to the presidency of the institution.

BORN IN Sumter, S.C., Dr. Seabrook was educated at Johnson C. Smith University and at New York, Chicago, and Columbia Universities. During the past three



DR. J. W. SEEBROOK

decades, his interests have turned to the community.

He has served as secretary of the board of trustees of Johnson C. Smith University; member, board of trustees of Colored Orphanage; chairman, board of directors of Hammocks Beach Corp member, board of director of Cape Fear Valley Hospital;

Member of Army Advisory Commission, Third Corps Area; the State Employment Council of the North Carolina Employment Security Commission; the Governor's Traffic Safety Council; the President's White House Conference;

The Survey Commission of the Methodist College and on the Advisory Commission to the U.S. Office of Education.

North Carolina Has Eight Cities With Negro Councilmen

Atlanta Daily World
Atlanta Voice
5-13-61
Wed. 5-17-61

—RALEIGH, N. C.—(ANP)—North Carolina now has eight cities with Negroes as membersof the city councils. This is believed to be a record for a southern state.

The results of balloting two weeks ago brought to light the number of Tar Heel cities with such representation.

On May 13, one of these cities, Durham, was expected to return an uncontested councilman to his seat.

In the balloting, two weeks ago Raleigh voters elected a 41-year-old business man, John W. Winters, their first colored city councilman.

ELDER CITIZEN ELECTED

At the same time, voters at Lumberton, N. C., elected an elder citizen, Wade H. Spearman, 72, to council, also a "first."

Greensboro returned bondsman Waldo Falkener to a second term on the council and Winston-Salem voters endorsed Carl Russell a funeral director, in his bid for a seat with the Board of Aldermen.

Voters went to the poll at Chapel Hill, Gastonia and Southern Pines to return incumbent council and boardsmen to their offices.

J. Q. Falls is the "city father" at Gastonia; Hubert Robinson at Chapel and Felton Capel at Southern Pines. Winston-Salem had had a colored official before, also.

At Durham, the incumbent councilman, J. S. Stewart, is unopposed.

Next Stop Is Norway

Chicago Defender P. 1 April (1-7) 1961
Chicago, Ill.



CLIFTON R. WHARTON, ambassador-designate to Norway (right) confers with President Kennedy at the White House prior to departure for his post. It was the customary final meeting of a chief of mission with the President for final consultation and instructions. Wharton, a Negro lawyer, is a career diplomat from Baltimore who joined the State Department 36 years ago. He has held State Department posts in Africa, Lisbon and Marseilles and since 1958 has served as U.S. Minister to Romania. UPI.

Negro Named Ambassador To Norway

WASHINGTON (AP) — President Kennedy Monday chose Clifton R. Wharton, a Negro career diplomat, to be ambassador to Norway.

Wharton, 61, is now minister to Romania and has been in the foreign service 34 years.

As ambassador at Oslo, Wharton will hold the highest rank ever attained by a member of his race as a U.S. career diplomat.

Other Negroes have served as ambassadors, but they held their posts as political appointees.

Wharton's road to an ambassadorship has been the hard way. His first State Department job in 1925 was as a law clerk at $1,860 a year.

Three years ago, President Dwight D. Eisenhower named him minister to Bucharest. Prior to that appointment, Wharton had been consul general at Marseille, France.

In going up the ladder to his consul general's post, Wharton served at such points as Monrovia, Liberia; Las Palmas, Canary Islands; Tanarive, Madagascar; Ponta Delgada, Azores, and Lisbon, Portugal.

Wharton was born in Baltimore May 11, 1899.

Negro Named Ambassador To Norway

WASHINGTON (UPI)— Clifton R. Wharton, veteran foreign service career officer and currently U.S. Minister to Rumania, will be the new ambassador to Norway, the White House announced Monday.

President Kennedy announced his intention to nominate Wharton, a native of Baltimore, Md., and a part-time Boston lawyer, to succeed Frances E. Willis, the present envoy. Wharton is a Negro.

Wharton has a record of 32 years of continuous foreign service and has served in a number of embassies. He has been minister to Rumania since 1958.

Negro Named To Envoy Post

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AMBASSADOR—Clifton R. Wharton, now minister to Romania, was named by President Kennedy Monday to be ambassador to Norway. Wharton, 61, as ambassador will hold the highest rank a Negro has held as a U. S. career diplomat.

NORWAY

NEGRO NOMINATED ENVOY TO NORWAY

Wharton, Career Officer for 32 Years, Is Named

Special to The New York Times.

WASHINGTON, Feb. 20 — President Kennedy announced today the selection of a Negro Foreign Service officer, Clifton R. Wharton, to be Ambassador to Norway.

Mr. Wharton, a 61-year-old native of Baltimore, has served as a career diplomat for the last thirty-two years. In 1953 he was assigned as consul general to Marseilles, and in 1958, as minister to Rumania, his present post. As Ambassador to Norway, he will succeed Miss Frances E. Willis.

The President also announced his first judicial appointment today. William A. McRae Jr., 51 years old and a law partner of Senator Spessard L. Holland, Florida Democrat, was selected to be Federal District Judge for Southern Florida. Mr. McRae, a resident of Lake Wales, Fla., will succeed retired Judge William J. Barker.

An announcement today by the American Bar Association's Committee on the Federal Judiciary, found Mr. McRae highly qualified for the post.

Four United States attorneys and two Assistant Secretaries of the Army were also among those named for Federal posts by the President today.

William F. Schaub, a native of Sandusky, Ohio, and a veteran official of the Budget Bureau, was picked to be Assistant Secretary of the Army for Financial Management. Since 1941 he has served in the Budget Bureau and is now chief of its military division.

Richard S. Morse of Abington, Mass., was selected as Assistant Secretary for Research and Development, a new Army post. He is now Director of Army Research and Development. Before joining the Defense Department, Mr. Morse, a graduate of the Massachusetts Institute of Technology, had organized and headed his own research concern, the National Research Corporation.

District Attorneys Named

The four new United States attorneys were as follows:

Joseph D. Tydings, son of the late Democratic Senator from Maryland, Millard E. Tydings, to the Maryland District, Mr. Tydings is a graduate of the University of Maryland Law School. He has practiced law in Baltimore and has been serving in the House of Delegates of the Maryland General Assembly. He managed President Kennedy's primary campaign in Maryland and served as coordinator for Delaware and Florida in the election.

Lawrence Gubow, Commissioner of the Michigan Corporation and Securities Commission, to the Eastern District of Michigan.

James P. O'Brien, an attorney in the Justice Department's Criminal Division since 1938, for the Northern District of Illinois.

Newell P. George, who served as a Democratic Representative from Kansas for one-term and was defeated last fall, to the Kansas District.

Associated Press

TO SHIFT POSTS: Clifford R. Wharton, U. S. Minister in Rumania, who was named as envoy to Norway.



United Press International

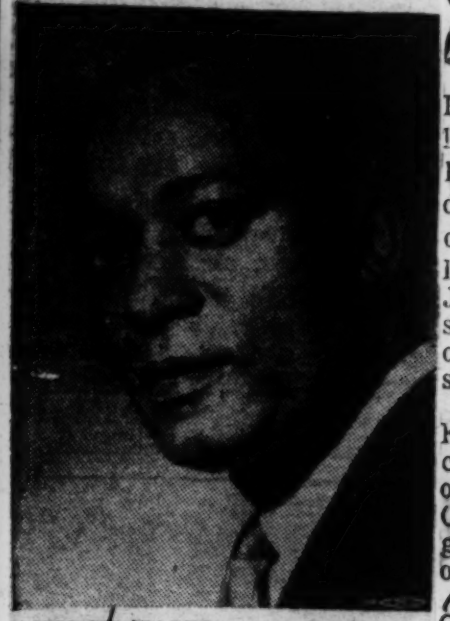
Envoy to Norway

Clifton R. Wharton, above, a veteran foreign service career officer, has been appointed as American ambassador to Norway, the highest rank ever held by a Negro career diplomat. A native of Baltimore, Wharton began working in the State Department as a law clerk in 1925. He is 62 years old.

34c(1) 1961

OHIO

JIM PARSONS ALL DRESSED BUT DELAYED



JUDGE JAMES B. PARSONS

Superior Court Judge-elect James B. Parsons was scheduled to be inducted here last week but he wasn't.

Why the delay?

Well, Parsons, a Negro who defeated Rev. Archibald Carey, and four other judges elected to the Superior and Circuit courts can't be inducted until their election is certified by the state. The certification is being held up because Cook County votes are being rechecked.

Republicans charge illegal voting procedures in certain heavily Democratic wards.

Jackson upped to common pleas post

CLEVELAND — Judge Perry B. Jackson of Cleveland Municipal Court, Ohio's First colored Judge, was inducted as Judge of The Court of Common Pleas (Division of Domestic Relations) Saturday Jan. 7, 1961, at a special session of The Court of Appeals of Cuyahoga County by presiding Judge Joy Seth Hurd.

Appellate Judge Julius M. Kovachy acted as master of ceremonies and the oath of office was administered by Chief Justice Carl V. Weygandt of the Supreme Court of Ohio.

Judge Hobson R. Reynolds, Grand Exalted Ruler of the Improved Benevolent Protective Order of Elks of the World, flew in from Philadelphia to participate.

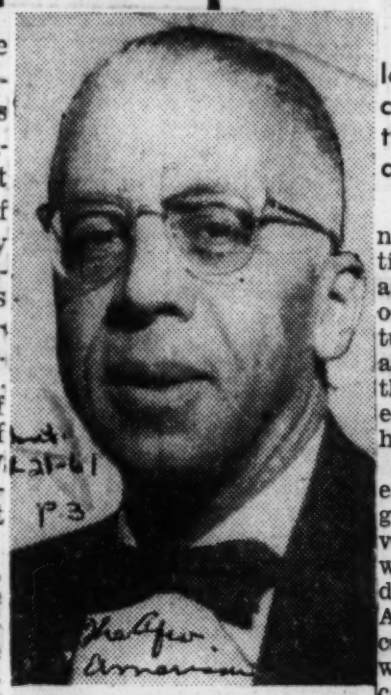
Others who spoke were Appellate Judge Lee Skeel; Chief Justice Samuel H. Silbert of the Common Pleas Court; Chief Justice August Pryatel of the Cleveland Municipal Court; president of the Cleveland Bar Association Dean Fletcher Andrews;

President of the Cuyahoga County Bar Association Ronald Benjamin; president of the John A. Harlan Law Club John H. Bustamante; Executive secretary of the Cleveland Area Church Federation B. Bruce Whittemore; the Rev. George T. Sims and Msgr. Frank Cacuiaro.

The position to which Judge Jackson was elected by a majority of 100,000 was newly created by the last Session of the Legislature.

Judge Jackson was first appointed a judge in 1942.

Lewis B. Richardson, 3880 E. 154th St., was immediately sworn in as Judge Jackson's bailiff. He is married. He previously served as bailiff for Judge Jackson in Cleveland Municipal Court.



JUDGE PERRY B. JACKSON

Ohio Negro Judge Inducted To Higher Court

CLEVELAND — (ANP) — Judge Perry B. Jackson of Cleveland Municipal court Ohio's first Negro Judge was inducted last week as judge of the court of common Pleas (Division of Domestic Relations) at a special session of The Court of Appeals of Cuyahoga county by Presiding Judge Joy Seth Hurd.

Cleveland Elects 8 Negro Councilmen

CLEVELAND — (ANP) — In an off-year primary election here last week Clevelanders went about the business of electing its councilmen when eight Negroes retained their seats for another two years, and come the election Nov. 7, two more may be added to the number.

This was a strange day in th annals of primaries, according to old timers. The weather was most disagreeable, rainy, damp, dismal, all of which accounted for the poor turnout. There were no proposals, amendments, bond issues, not even the mayoralty candidates were listed as only two, one from each party, have been nomfnated or filed.

The rainy day evidently accounted for one victorious candidate's good fortune. He won with only 1,274 votes over three other candidates who only toltaled 884. The top candidate in any of the 30 wards, Leo A. Jackson, polled 3,886 votes. This completely repudiated the party, who had ditched Jackson for Frances K. Williams, who incidently got 461 votes.

In ward 17, Josephine Walker, a former school teacher and now a member of the state school board of education, gave incumbent Chas. V. Carr, majority leader in the city council, the fight for his political life, while Leodes Harris, a young law student, wedged a terrific battle against Jack P. Russell, council president. Harris had as his campaign manager a fellow student, and the two now allegedly face a $75,000 slander suit filed by Russell.

Some literature was circulated in the ward under the banner Free Voice by Harris' supporters, in which was published, "If you don't support Jack Russell, you'll have a Nigger for councilman."

Cleveland re-elects 8 city councilmen

CLEVELAND (ANP) — In an off-year primary election last week, Clevelanders re-elected eight colored councilmen, and come Nov. 7, two more may be added to the number.

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* * *

IN WARD 17 Josephine Walker, a former school teacher and also member of the state school board of education, gave incumbent Charles V. Carr, majority leader in the city council, the fight of his political life.

Leodos Harris, a young law student, waged a terrific battle against Jack P. Russell, council president. Harris had as his campaign manager, a fellow student, and the two now allegedly face a $75'000 slander suit filed by Russell.

Simmons Appointed By Interior Department

WASHINGTON, D. C. — Joseph J. Simmons III, of Muskogee, Okla., has been appointed as a Department of the Interior advisor on oil and gas mobilization to the Office of Civil Defense and Mobilization, Secretary Stewart L. Udall announced here.

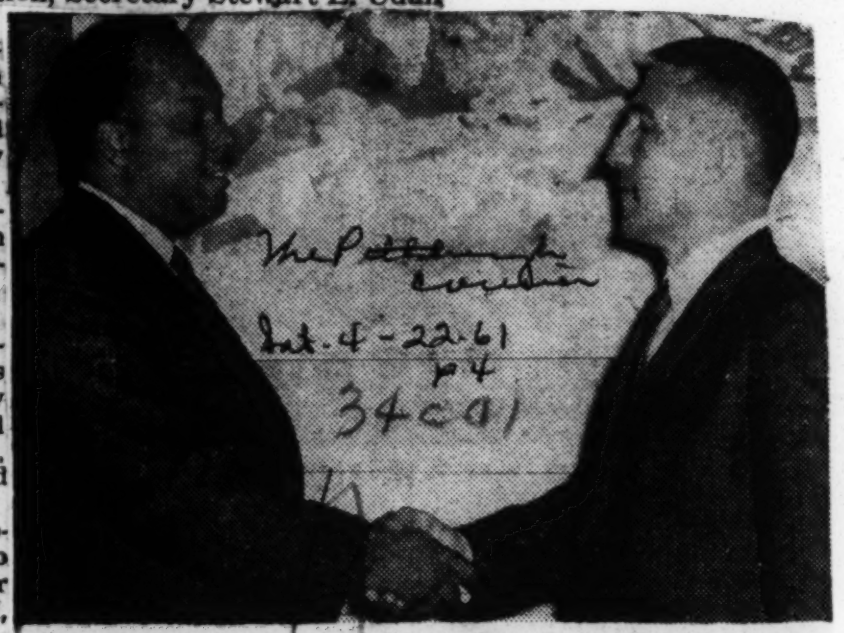
Secretary Udall said, "This department is indeed fortunate in obtaining the services of Mr. Simmons who is making a personal sacrifice in accepting this vitally important asignment.

"He is representative of the caliber of young executive which this administration needs in publice service."

MR. SIMMONS will be responsible for coordinating oil and gas mobilization plans developed by the department's Office of Oil and Gas with the Battle Creek, Mich., ofices of the Office of Civil and Defense Mobilization.

Mr. Simmons, who will be located in Battle Creek, will also serve there as technical adviser on oil and gas matters to OCDM, Secretary Udall said.

Prior to accepting the Interior post, Mr. Simmons was secretary, treasurer, and superintendent of drilling and production for the Simmons Royalty Company in Muskogee, and a practicing petroleum geogolist both in the United States and abroad since 1949.



APPOINTMENT—Secretary of the Interior Stewart L. Udall congratulates Joseph J. Simmons III, Muskogee, Okla., on his appointment as oil and gas mobilization adviser to the department.

34c(1) 1961

OKLAHOMA

Sub-agent of Eastside Office Appoint Freddie Wilson Tag

The Black Dispatch
Okla. City, Okla.
2-27-61

Ralph Duroy, Oklahoma County tag agent, today announced the appointment of Freddie Wilson as tag sub-agent and the opening of the Eastside tag agency at 701 N. Lottie for the convenience of those citizens living on the eastside of Oklahoma City.

The regular period for the issuing of motor vehicle licenses will expire at midnight, January 31. All tags must be purchased before this time in order to avoid a penalty. After February 1, a penalty of ten cents per day will be added to the tag cost and the cost will duble after March 3.

Duroy, who was appointed county tag agent upon recommendation of Senator Cleeta John Rogers, suggests that those persons who cannot stop by either the Eastside tag agency or the permanent county tag agency at N. W. 10th and Robinson, request their tags by mail. All request must be accompanied by the motor vehicle title and a blank check made mayable to the county tag agent. Mail post-marked before bidnight, January 31, will be processed without penalty.

According to Wilson, hours for the Eastside office will be from 8:30 a.m. until 8:30 p.mp weekdays, and from 8:30 until 8:00 p. m. on Saturdays. During the rush period ,the office will also be opened on Sunday from 2 p.m. until p.m.



FREDDIE WILSON

Muskogean Named County Attorney Aide

The Black Dispatch
Okla. City, Okla.
Fri. 3-24-61

MUSKOGEE. — A Muskogee Negro attorney was recently appointed assistant county attorney here by County Attorney John Luton. He is Cecil E. Robertson, 61, a leading attorney of the city.

"I am happy to make this addition to my staff and was glad to obtain the services of Mr. Robertson," Luton said, adding that Robertson is recognized as one of the leading attorneys of this section of the state."

The new addition to Luton's staff has practiced law in Muskogee since 1931 and is widely known in the county.

"By adding Mr. Robertson to the staff, my office will be able to offer even better service to the people of Muskogee county," Luton stated.

He said Robertson would begin his duties within a few days.

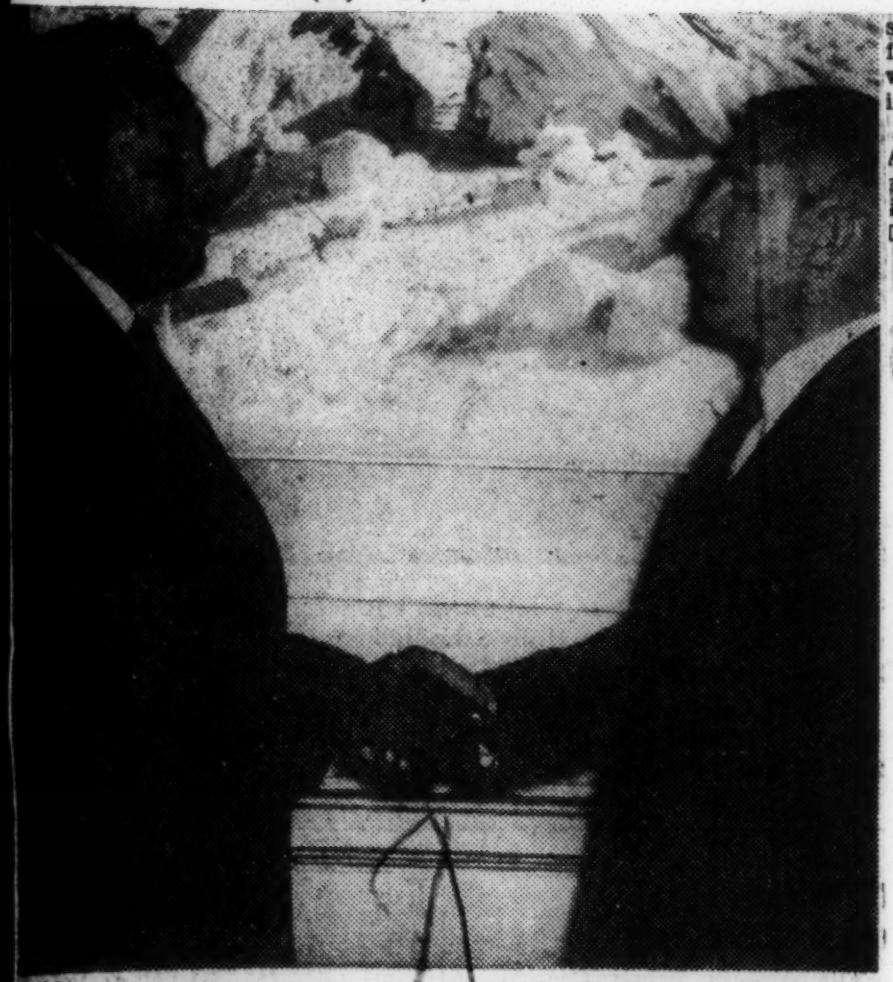
Robertson received his law degree from Howard university, Washington, D. C., in 1930 and began his practice here the following year. He served briefly as an assistant county attorney under Louis Smith a few years ago.

Widowed, he has a daughter, Frankie Mae Eldridge of Brooklyn, N. Y.



SECRETARY OF INTERIOR Stewart L. Udall congratulates Joseph J. Simmons 3rd, Muskogee, Okla., on his appointment as oil and gas mobilization advisor to the department. Simmons will be responsible for coordinating oil and gas mobilization plans developed with the Battle Creek, Mich., offices of the Office of Civil and Defense Mobilization. A practicing petroleum geologist since 1949, Simmons is married and has four children. Prior to accepting his new post, he was secretary, treasurer and superintendent of drilling and production for the Simmons Royalty company in Muskogee.

MR. JOSEPH J. SIMMONS, III
APPOINTMENT AS OIL AND GAS MOBILIZATION ADVISOR



NEW APPOINTEE—Secretary of the Interior Stewart L. Udall congratulates Joseph J. Simmons, III, Muskogee, Oklahoma, on his appointment as Oil and Gas Mobilization advisor to the Department.

Atlanta Daily World
Atlanta, Ga.
Jan 4-16-61

Oklahoman Appointed As Interior Oil, Gas Advisor

WASHINGTON—Joseph J. Simmons, III, of Muskogee, Oklahoma, has been appointed as a Department of the Interior advisor on oil and gas mobilization to the Office of Civil Defense and Mobilization, Secretary Stewart L. Udall announced Saturday.

Secretary Udall said: "This department is indeed fortunate in obtaining the services of Mr. Simmons who is making a personal sacrifice in accepting this vitally important assignment. He is representative of the caliber of young executive which this Administration needs in public service."

Mr. Simmons will be responsible for coordinating oil and gas mobilization plans developed by the Department's Office of Oil and Gas with the Battle Creek, Michigan, offices of the Office of Civil Defense Mobilization. Mr. Simmons, who will be located in Battle Creek, will also serve there as technical advisor on oil and gas matters to OCDM, Secretary Udall said.

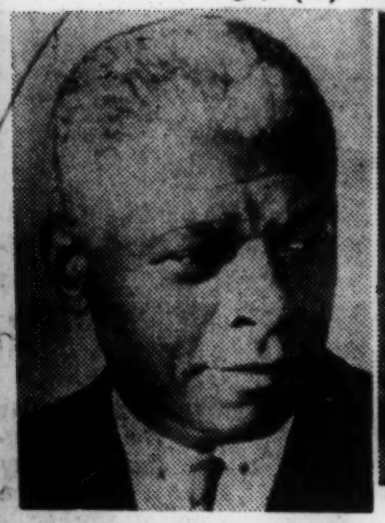
Prior to accepting the Interior post, Mr. Simmons was secretary, treasurer and superintendent of drilling and production for the Simmons Royalty Company in Muskogee, and a practicing petroleum geologist both in the United States and abroad since 1949.

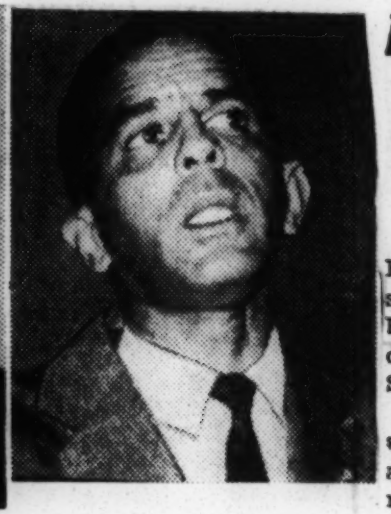
Born in Muskogee, Oklahoma, on March 26, 1925, he attended public schools in Muskogee and graduated from St. Louis University in 1949 with a bachelor of science degree in geologic engineering.

He is a member of the American Association of Geologists, the Society of Exploration Geophysicists, and the Tulsa Geological Society. During World War II, he served in the U. S. Army Air Force.

Mr. Simmons is married to the former Bernice Miller, of Detroit, Michigan. The Simmons' have four children.

34c(1) 1961





DR. BENJAMIN E. MAYS FRANKLIN H. WILLIAMS

Dr. Mays and Williams get Peace Corps posts

WASHINGTON

A Georgia college president and an assistant to the attorney general of California have been named to positions in President Kennedy's Peace Corps.

Dr. Benjamin E. Mays, president of Morehouse College in Atlanta, was selected to serve on a bipartisan, 33-member national advisory council for the corps.

And Franklin H. Williams, San Francisco, a former West Coast director for the NAACP, resigned his post with the attorney general's office to accept appointment as special assistant to R. Sargent Shriver, director of the Peace Corps.

* * *

IN OTHER developments, a convention of college students opposed a loyalty oath for members of the Corps and said FBI security checks on applicants should be sharply limited.

A majority of delegates at the National Conference on Youth Service Abroad sponsored by the National Students Association endorsed the Peace Corps proposal and said it should be kept out of the cold war.

PEACE CORPS

Peace Corps Plans Foundation For Private Projects Overseas

By PETER BRAESTRUP

Special to The New York Times.

WASHINGTON, April 1—The Kennedy Administration is considering the establishment of a Peace Corps Foundation to channel aid to private United States groups working overseas.

The foundation approach is seen by Peace Corps officials as a possible escape from legal barriers that now restrict the corps as a Federal agency.

R. Sargent Shriver, Peace Corps director, has assigned Morris Abrams, general counsel for the Peace Corps, to examine the legalities involved in setting up a Peace Corps Foundation.

Since the corps' creation by President Kennedy on March 1, Administration spokesmen have stressed their belief that the resources of universities, unions, welfare agencies and civic groups should be utilized along with overseas programs directly administered by the corps itself.

Arthur S. Adams, president of the American Council of Education, reported today on a poll of the council's member colleges and universities. He said that 441 of 468 replies endorsed the Peace Corps and that a majority of the replies favored Peace Corps grants to private groups

Under this program, these groups in turn would select and train the personnel and arrange their overseas placement with aid from Washington.

However, Peace Corps officials—and a sizable minority of the American Council of Education members—contend that only certain projects, such as volunteer training centers, can presently be contracted out directly by the Peace Corps. Even then they assert, there must be corps supervision.

One problem is that many overseas projects proposed by private groups for Peace Corps grants do not meet Administration criteria.

Some, as in the case of proposals by several Roman Catholic and Mormon organizations, couple work projects with missionary efforts. Peace Corps officials believe that they cannot finance such operations because of the possibility of a controversy over separation of church and state.

Other proposals by private welfare agencies involve different terms of service and more generous wage payments for volunteers than those envisaged by the Peace Corps.

Many of these independent projects, corp officials say, are worthwhile but would be carried on under different conditions. For one thing, training would be different. Ror another, under Peace Corps asupices, the workers' status — private or government—would be in doubt.

Moreover, some agencies are wary of direct ties to the unproved Peace Corps. Some countries would prefer non-Government help from the United States.

To foster such projects, without the United States Government label, Peace Corps officials think a foundation might work.

Congress Has the Power

Congress is empowered to create such a foundation. The foundation could also be chartered by a state government. Its trustees could be the 33-members of the Peace Corps Advisory Council, or others named by President Kennedy.

The foundation's fund would come from private contributors, as Peace Corps officials see it, but Federal funds might also be provided. Many private donations have already been mailed in to corps headquarters here; they must be returned.

"Our trouble is the Government agencies can't accept goods and services from private persons," a corps spokesman said.

"It would be much better for both the country and the corps," he said, "if many local private groups could be allowed to help the Peace Corps. The corps would be less remote. You would create a nation-wide constituency."



PEACE CORPS ADVISERS—Three men and a woman have been named by President Kennedy as vice chairmen of a 33-member national advisory council of the Peace Corps. Left to right: The Rev. James Robinson, pastor, Church of the Master, New York City; Dr. Mary Bunting, president, Radcliffe College, Cambridge, Mass.; Thomas J. Watson Jr., New York City, president, International Business Machines Corp., and David E. Lilienthal, New York City, who headed the Atomic Energy Commission.

34c(1) 1961

PENNSYLVANIA

Pa. Public Welfare Dept. Gets

1st Negro Superintendent

HARRISBURG, Pa. — Appointment of Wilbur E. Hobbs, Chester-Creek Rd., Cheyney, Delaware County, as superintendent of the state Youth Development Center, Philadelphia, effective Sept. 18, was announced by Secretary of Public Welfare Mrs. Ruth Grigg Horting.

• Hobbs, 40, has been executive director of the Sunnycrest Farm Home for Boys, Cheyney, since Aug. 1, 1957. His salary in the state post will be $9,923 a year.

He is a graduate of the West Chester State College and the University of Pennsylvania, where he majored in social work.

HOBBS' appointment marks the first time a Negro has been named superintendent of an institution operated by the Public Welfare Department.

The Youth Development Center, located at Second and Luzerne Sts., has been operated by the City of Philadelphia as a Youth Rehabilitation Center.

As a state facility it will ceive boys, with patterns of linquent behavior, from the junile court for rehabilitation poses. The center has a capacity of 125 youths.



PENNSYLVANIA "FIRST"—Wilbur E. Hobbs, first Negro to be appointed superintendent of an institution operated by the Pennsylvania Department of Public Welfare, discusses his new job with Mrs. Ruth Grigg Horting, Pennsylvania Secretary of Health and Welfare, at her office in Harrisburg, Pa.



CHIEF INSPECTOR—Inspector Allen B. Ballard, veteran member of the Philadelphia Police Department, this week, will be sworn in as chief inspector in charge of the department's human relations program. He will be the highest ranking Negro police officer in the nation.

F. F. Thomas appointed 1st Pottstown councilman

POTTSTOWN, Pa. — Pottstown appointed its first race councilman September 25 to fill a seat left vacant through death a week earlier.

The Republican appointee to the Seventh Ward seat is Frank F. Thomas, an NAACP and church leader. The appointment expires in 1963.

"I am honored to be the first of my race to serve on the council," Mr. Thomas 59, said.

His selection was announced by GOP Chairman William J. Boden Sr., a friend of more than 20 years.

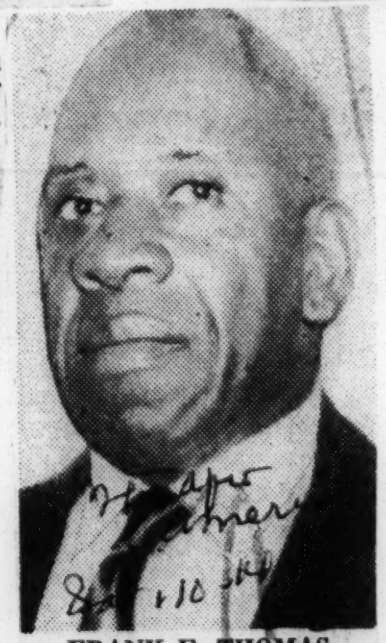
* * *

THEY WORKED together in politics during World War II.

"He was selected to give recognition to the contributions of his race, ignored in the borough for too many years," Mr. Boden said. "This was the opportunity to give this representation together with the responsibility that goes with the very important job of being a borough councilman."

Mr. Thomas has been an active Republican worker since World War II and a leader of NAACP affairs in the borough. He also serves as treasurer of the House of God church.

His selection was announced on his 18th wedding anniversary. He and his wife, Louise, have six children.



FRANK F. THOMAS

Service Station Operator Heads Pennsylvania J-C

Journal and Guide P-1 Sec-2
Sat-10-21-61
Norfolk, Va.

STROUDSBURG, Pa. —For William D. Johnson, oprating a successful business and taking an active interst in community affairs go hand-in-hand.

And this interest in the welfare of his community has finally lead him to the coveted position of president of the Pennsylvania Junior Chamber of Commerce.

Johnson, the first Negro ever to head a state chapter of the national organization, has literally climbed the ladder of success in reaching his present position in the Junior Chamber of Commerce and in civic affairs in Stroudsburg.

THE JAYCEE presidency is a demanding job, but Johnson likes challenges and already has shown signs of revitalizing activities in the Pennsylvania state chapter. An owner-operator of an American Oil service station in Stroudsburg, the new president is highly respected in his community.

He began as a service station operator back in 1953 and recently built a $25,000 station which he leased to the American Oil Company. Prior to 1953 he spent 10 years in the wholesale produce field, rising to forman and later market buyer before deciding to enter the automobile service business on his own.

A TYPICAL day in Stroudsburg might find Mr. Johnson dividing his time between business at his service station, coaching a sandlot football team, or repairing a broken bike for one of the hundreds of boys who have adopted him as a "big brother.

The likeable leader helped establish the Pocono Mountains Jaycees in 1954 and soon found himself serving as secretary.

On the higher level he has served as state chairman of inter - chapter relations, state coordinator for church flood relief, first state chairman of public relations and state chairman of ways and means.

ELECTIVE positions which he has held include regional vice president, national director, administrative vice president and executive vice president of the Pennsylvania Junior Chamber of Commerce.

Bill,, as he is known in Stroudsburg, has positive convictions about the need of the Junior Chamber of Commerce and plans to initiate new programs designed to improve his state chapter.

HIS FIRST objective is to raise the membership by approximately 50 per cent. He recognizes that membership is a universal problem but believes that he can increase his chapters.

He would also like to begin an educational program so that the public will see the need for constitutional reform in his state. Finally, he wants to see more people — especially young men — enter political life on a local level.

A FORMER cross - country truck drive, Mr. Johnson is back on the road again these days. This time, however, he is driving a big white sedan with his name and the emblem of the state Jaycees on the side. He already has traveled more than 2,000 miles visiting chapters throughout his state and expects to exceed 40,000 before the end of his tenure.

A strong exponent of family life, Mr. Johnson firmly believes that much of the success of a man is centered in the strength of his family and is convinced that no nation can be strong without a national tendency toward a strong family relationship.

HIS WIFE, Mary, works side by side with him in all of his endeavors and encourages his growth in business and in Jaycees activities. A typical example of her cooperation took place in 1955 when she opened her home to approximately 40 persons during a spring flood while he worked tirelessly with rescue teams.

Rarely is the combination of sincerity, enthusiasm and experience so well exhibited as it is in Bill Johnson. But in spite of his demanding job as business man - Jaycee president, he also finds time to be active in the Masons, the Varsity "S" Club, high school sports, the Visiting Nurses Association, and the Christian Missionary Alliance Church, where he holds membership.

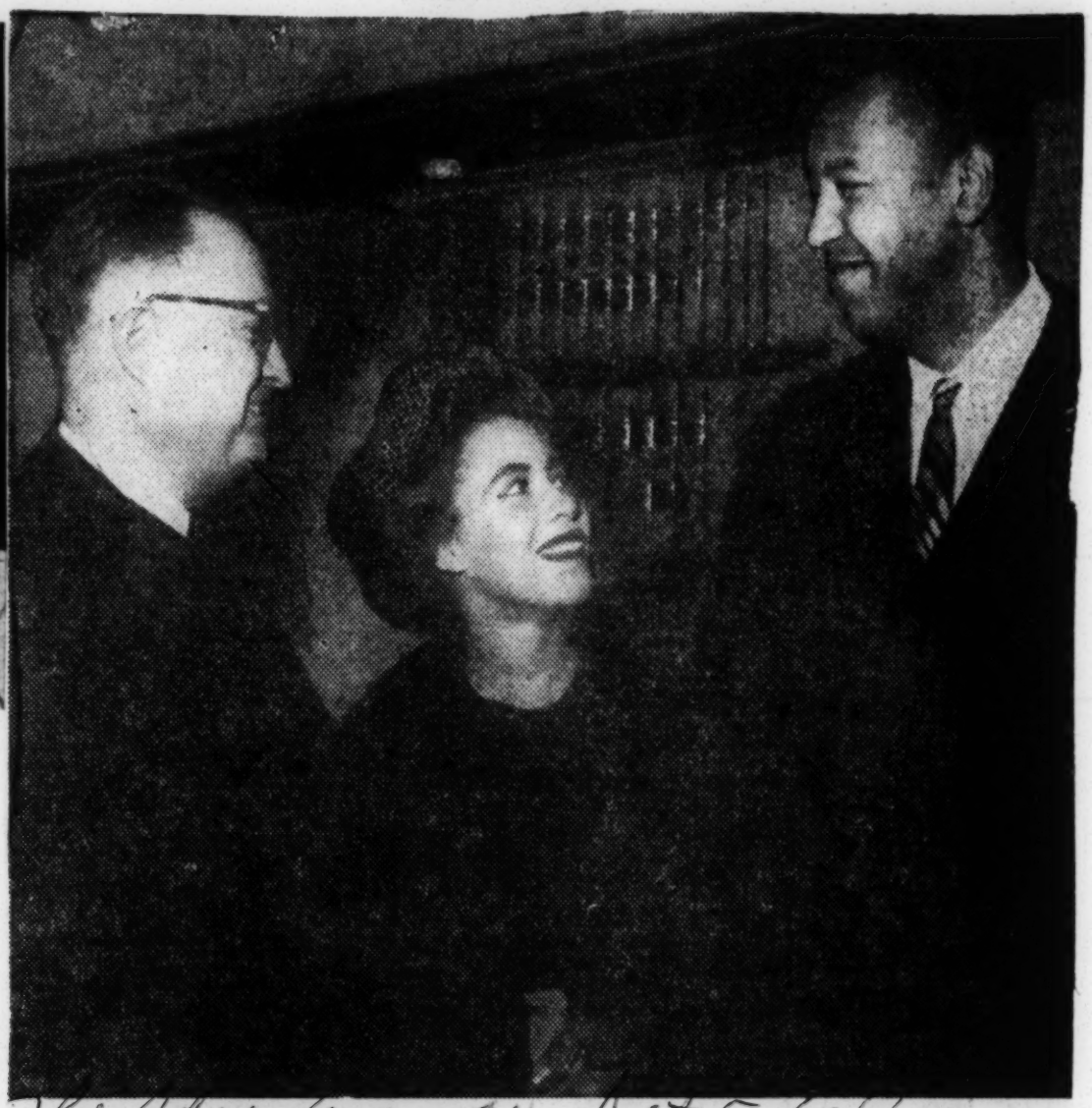


Young Business Leaders Of State

William D. Johnson, president of the Pennsylvania Junior Chamber of Commerce, is shown here with his wife, Mrs. Mary Johnson, and his service station in Stroudsburg. He is believed to be the first member of his race to head a state Junior Chamber of Commerce chapter.



IN STATE POST — Vernelis Kinsey, former Courier staff member, has been appointed assistant attorney general by Michigan's Attorney General Paul C. Adams, it was announced in Detroit. Miss Kinsey, recently admitted to the bar, is shown here with Judge Horace Gilmore.



TAKES OATH AS COMMISSIONER— A. Leon Higginbotham Jr. (right) was sworn in as a member of the Pennsylvania Fair Employment Practice Commission last Thursday by Judge Gerald A. Flood, as his wife, Mrs. Jeanne Higginbotham, looks on. Mr. Higginbotham, president of the Philadelphia Branch NAACP, was recently appointed by Governor David L. Lawrence.

34c(1) 1961

CARL T. ROWAN, STATE DEPARTMENT

Rowan Lashes At Bigotry— Urges Urban League Support

Chicago Defender

By MARION B. CAMPFIELD

"The hue of a man's skin; the fear of shaking off the shackles of prejudice and the failure to use its full manpower" are at the root of racial prejudice in this country, Carl T. Rowan, Assistant Secretary of State for Public Affairs, said Wednesday. (18-24)61

Rowan, keynote speaker at the luncheon meeting gave a forthright and powerful address on "The Cost and Curse of Jim Crow." He illustrated his point on fear by quoting from an address by then Secretary of Labor James P. Mitchell during a "little publicized conference in Washington" shortly after Russia launched its first satellite.

Mitchell, Rowan asserted, warned a gathering of business, labor and civic leaders:

"By 1965 the United States will need 12 million more persons in the labor force than today . . . a compelling reason why the nation must utilize the enormous potential of the Negro."

Rowan also quoted Mitchell as asserting that "the day of America's greatest achievement will not dawn until the hue of a man's skin is no longer a measure of his capability."

One of America's top newsmen and author of the best seller, "South of Freedom," Rowan told of his personal experiences with discriminatory practices.

His address, which was enlivened by witticisms, made the challenging assertion that survival in the world crisis will come through both "reason and passion."

Rowan praised the Urban League as a force which is making tremendous advances against injustices and referred to recent movements of passion arising when reason had failed.

The Urban League, he pointed out, has a significant role in resolving the curse of Jim Crow. Its influence, although often misinterpreted as beneficial to the Negro alone, is "keeping the lamps of freedom from going out, even in the far corners of the globe," he said.

The Urban League serves Chicago, Rowan continued, and it serves the nation. "If the Urban League succeeds it is the city and nation that benefits far more than the Negro population."

A former Minneapolis Tribune reporter who has been cited for journalistic excellence by the National Education Writers association, th

Kansas City Restaurant Snubs Rowan For Hour Then Serves Him

Atlanta Daily World p1

KANSAS CITY, Mo. — (ANP) — Carl T. Rowan, deputy assistant of public affairs of the U. S. Department of State, on the heels of an anti - segregation speech in Chicago, was refused service for about an hour in a restaurant here.

When the management learned that Rowan was a State Department official, he was then served.

Rowan, who was in Kansas City for another speaking engagement, went with four companions to the Eighty - Eight Keys, after the club's Negro combo led by pioneer jazzman Beby Lovett, had been recommended.

Although he was advised at the door that he would not be served, Rowan said he and his companions took seats at a table and listened to the music.

DISGUSTING INCIDENTS

"It's not particularly embarrassing to me," Rowan said. "I've been in hundreds of incidents like this. I've been a Negro for a long time. It is disgusting, though, that these things should happen."

Rowan, former reporter for the Minneapolis Tribune and prize-winning author, was in Kansas City to address the American Association of Land Grant Colleges and Universities.

Martin Manfield, manager of the Eighty - Eight Keys, said he learned of Rowan identity when a newsman called to ask about the incident. He refused to discuss it further.

"I think the situation resolved itself quite satisfactorily," said Rowan. "I want to make it clear that I didn't come out here to make a story .... It is disgusting though that these things happen."

Carl Rowan Faces Bias In Mo. Nite Club

Defender p1

KANSAS CITY, Mo.—(UPI) — Carl Rowan, state department official, said he was refused service for a short time Wednesday night in a Kansas City night club.

Rowan, deputy assistant secretary for public affairs, spoke Wednesday night to the American Association of Land Grant Colleges. After the speech, he and three white friends went to the "88 Keys," a club featuring Negro jazz music. (18-24)61

He said they walked into the club and the manager came over and said he would "rather not" serve them because if "some other customer got drunk there might be trouble."

"We sat there for awhile, and later I talked with the manager again and he agreed to serve us," Rowan said.

"There were just a few quiet remarks, no fuss and no incident."

Rowan said he and his friends stayed until the late floor show had been completed and then left.

34c(1) 1961 STATE DEPARTMENT

MISS ARMENTA ESTELLA ADAMS
25 YR. OLD AMERICAN NEGRO
again on November 11.
WILLIAM McPHERSON

No Portfolio, but Pianist Plays Diplomatic Melody

Washington Post & Times Herald
Sat 7-22-61

"A DIPLOMAT of America at its best," pronounced Secretary of State Dean Rusk.

"The most important event in the history of classical music in Ghana," declared the Ghana Times.

The inspiration for these glowing comments is Armenta Estella Adams, a 25-year-old American Negro concert pianist who took it upon herself to serve as a strictly unofficial ambassador of good will in Sierra Leone, Liberia and Ghana from April to June.

Miss Adams, in Washington Thursday to receive the official thanks of the U. S. Department of State and a personal tribute from the Secretary for her work, was invited to Sierra Leone for Independence ceremonies on April 27.

Washington Post

Her trip was not sponsored by the State Department. The United States Information Service paid her expenses, once they saw the impression she was making, so that she could stay for two months, but "I had no idea before I went how long I could stay," she said.

Seeing African nations emerging "filled me with a sense of pride," she said. "Because I am a Negro and I feel a racial connection with other Negroes, I felt really proud and happy to see them making their contribution to the world.

"I was especially proud of the students," she continued. "They have a great respect for education. They're anxious to make an achievement and they have no general feeling of bitterness toward non-Africans. They may not agree with you on a political, ideological level, but they like you."

WHAT BROUGHT Miss Adams to the attention of the State Department was the impression she made on the President of Ghana, Kwame Nkrumah. A half hour before she was to play for him at his residence she discovered his favorite piece of music was "Lead, Kindly Light."

"I rushed over to a church, found a hymn book and learned it." The President sent her a handcrafted gold bracelet in appreciation and a copy of his autobiography which arrived at the American Embassy in Accra just after Miss Adams left for New York.

The Embassy sent the book to the Department of State which promptly sent to New York for Miss Adams in order to give her the book at ceremonies Thursday in the Secretary's outer reception room.

Miss Adams went to Africa "for the experience of seeing Independence come to Sierra Leone" and "as a performer." In the best traditon of President Kennedy's admonition to "ask not what your country can do for you, but what you can do for your country."

Miss Adams went intending "to be as American as I please, to be accepted on my own terms as an artist, and to force the people I met to face America through an American."

BEING AN AMERICAN Negro in Africa, she said, "was definitely an asset. They already loved me before I got there. I didn't have to break down any barriers."

Miss Adams came to Washington with Mrs. Sascha Gorodnitzki, wife of her New York music teacher. Although Miss Adams is reticent about her accomplishments ("I find it embarrassing to talk about myself"), Mrs. Gorodnitzki revealed that the Institute of International Education has offered to send her to any of the international musical competitions in Europe this summer.



By Charles Del Vecchio, Staff Photographer

ARMENTA ESTELLA ADAMS
. . . spreading goodwill with music

Miss Adams was born in Cleveland, Ohio, the daughter of Mr. and Mrs. Albert Adams. She attended elementary school and Girls' Latin High School in Boston, where her brother Elwyn ("the real prodigy in the family—but I could skate a mean roller skate") was studying violin. She attended the New England Conservatory Preparatory School and Juilliard School of Music.

She made her professional debut at New York's Town Hall in February, 1960, moving Allan Hughes of the New York Herald Tribune to write that she was "the heroine of the most exciting debut this reviewer has ever heard." She will play there

34c(1) 1961

STATE DEPARTMENT

AMERICAN NEGRO SINGER
ARMENTA ESTELLA ADAMS

Rusk Lauds Negro Singer 'Diplomat'

WASHINGTON —(ANP)— The U. S. State Department, through Secretary of State Dean Rusk, has paid high tribute to Armenta Estella Adams, 25-year-old American Negro singer who recently toured three African countries.

In the nation's capital to receive the offiical thanks of the State Department, the singer was greeted by Rusk who called her "a diplomat of America at its best." Rusk referred to Miss Adams' role during her goodwill mission to Sierra Leone during independence celebrations, to Liberia and to Ghana.

Her trip was not sponsored by the State Department, but the United States Information Service, after seeing the impression she was creating in Africa, paid additional expenses enabling her to stay in the continent for two months.

Miss Adams went to Africa for what she calls "the experience of seeing independence come to Sierra Leon," in addition to hr role as a performer.

The daughter of Mr. and Mrs. Albert Adams of Cleveland, Ohio, she made her professional debut at New York's Town Hall in February of last year.

Commenting further on why she went to Africa, Miss Adams said. "I went intending to be as American as I please, to be accepted on my own terms as an artist, and to force people I met to face America through an American.

"Being an American Negro in Africa was definitely an asset. They already loved me before I got there. I didn't have to break down any barriers."

Her final words were: "One thing you can say about my life — it's not dull. And you've got to take some chances. That's one reason why I went to Africa." — By Conrad Clark.

Negro To Become Assistant District Attorney in Texas

SAN ANTONIO, Tex. — (UPI) —Andrew L. Jefferson Jr., 26, will be sworn in as assistant district attorney of Bexar (San Antonio) county on Feb. 1, and become the first Negro ever to hold such an office in Texas.

District Attorney Charles Lieck Jr. announced Jefferson's appointment Friday, Jan. 13.

Jefferson, a graduate of Texas Southern university at Houston and the University of Texas law school, has been in private practice at Houston since his graduation in 1959. His wife now teaches in the Houston public school system.

Lieck said he planned to assign Jefferson as a prosecutor in county and district courts.

U.S. POST GOES TO TEXAS NEGRO

HOUSTON, Tex., Oct. 10 (AP) — Carl Walker, jr., a 37-year-old Houston Negro, is a new assistant United States attorney in Texas' Southern District.

Mr. Walker, appointed by United States District Attorney Woodrow Seals yesterday, is the first Negro to hold a prosecutor's office in the district.

A native of Marlin, Tex., Mr. Walker received his law degree from Texas Southern University here. He has been in private practice.

"I think it's a fine thing that we can hire this man," Mr. Seals said. "I remember when I was growing up in Mississippi you could not hire a Negro for a job like this."

34c(1) 1961

TEXAS

Houston Lawyer Named Assistant U. S. Atty.

Atlanta Daily World 1st Pub 11-6-61

WASHINGTON — (NNPA) — Atty. Carl Walker, 37, of Marlin, Texas, has been appointed an Assistant United States Attorney at Houston, Texas, the Justice Department confirmed Monday.

Appointed by U. S. Attorney Woodrow Seals, Mr. Walker, a graduate of Texas Southern University, is the first of his race to become a federal prosecutor in Texas.

Mr. Seals said Mr. Walker, an Air Force veteran of World War II, assumed his new duties on Monday, Nov. 6, and had resigned from the law firm of Dent, King, Walker and Wickcliffe

Atlanta, Ga.

Reared by foster parents, Mr. Walker lives with his wife, Zula, at 1514 Laurentide Street, Houston. He has been active in civic affairs and is president of the Harris County Council of Organizations.

34c(1) 1961

U.S. DEPARTMENT OF EDUCATION (OVERSEAS PROGRAM)

Dr. R. O. Johnson Returns From Geneva Meeting

Atlanta Daily World
Sat. 7-22-61

By HARMON C. PERRY

Atlanta's Dr. R. O. Johnson, now a top official with the U. S. Department of Education's overseas program, has just returned from Geneva, Switzerland, as the only Negro among four U. S. delegates attending the International Conference on Public Education.

The four U. S. delegates attending the conference were all personally selected by President John F. Kennedy. They were, in addition to Dr. Johnson, Ben Willis, superintendent of public schools in Chicago; Miss Helen Gabbard, and Mrs. Fredrica Tandler, both of the U. S. Office of Education.

There were delegates from some 55 nations attending this 24th annual conference, including such African nations as Sudan, Morocco, Tunisia, Niger, the Republic of the Congo, Nigeria, Liberia, Ethiopa, Egypt and Mali. Also in attendance was Russia, which had the largest delegation, said Dr. Johnson.

The conference, which is made up of nations in UNESCO or the International Bureau of Education, met to discuss educational progress made in each member nation during the past year, and to air special discussion on "the place of the one-teacher school," and "development of pre-primary education."

Dr. Johonson, as chairman of the discussion on the "Place for One-Teacher Schools," said that the conference agreed that there definitely is a place for this type of school in undeveloped nations that have yet to reach full development, and those that have not begun a move in the direction.

On the second special topic, Dr. Johnson said that the conference emphasized the definite need for the nursery and kindergarten phase of schooling, especially in the urban areas where there are large numbers of working women.

While at the conference, Dr. Johnson was re-united with two of his close friends he worked with while on an U. S.-sponsored educational assignment in Laos.

His Laosian friends informed him that the educational center and other projects he started there were still in operation, and growing inspite of adverse conditions caused by the military and political crisis.

Atlanta, Ga.

A. J. Markoucrevitch, head of the Russian delegation, and vice-Premier of Education in that country, was elected Chairman of the Conference.

Dr. Johnson is in Atlanta for a short visit with his family on Morris Brown Drive before leaving for Washington to resume his duties which keeps him moving from the U. S. to Africa, and vice versa.



A RE-UNION—Dr. R. O. Johnson (right) is re-united with Laosian friends while attending the International Conference on Public Education. Nhoug Abhay and Tay Keolouangkhot are shown with Dr. Johnson at Geneva, Switzerland.



Gets U. N. Post

John Howard Morrow, above, until recently the American Ambassador to Guinea, has been appointed U. S. Permanent Representative to the United Nations Educational, Scientific and Cultural Organization (UNESCO). He succeeds Henry J. Kellermann, a career foreign service officer who is returning to Washington for reassignment. Morrow is a native of New Jersey and has been an educator most of his life.

34c(1) 1961

Dr. Moron Considered For Top Job

Journal + Bulletin Norfolk, Va.

Sat. 1-14-61

Former Institute Head Would Be 1st Native Appointed

34c(1)

WASHINGTON — Widespread speculation here on Monday was that President-elect John F. Kennedy wil appoint a new governor of the Virgin Islands, and that Dr. Alonzo G. Moron, 51, former president of Hampton Institute, would get the job.

Attention was drawn to the Virgin Islands also on Saturday when Congressman Adam Clayton Powell of New York introduced a bill providing for representation of the islands in the House of Representatives by a non-voting delegate. Alaska and Hawaii had such representation before becoming states.

DR. MORON, a Hampton graduate and a Phi Beta Kappa key holder from Brown University, was the first alumnus and first Negro to head Hampton Institute.

He was public welfare commissioner for the Virgin Islands from 1933-36 and initiated a long-range housing program for lower income families.

IN 1936, AND until he went to Hampton in 1946, he held a number of federal housing posts in Atlanta, lectured at Atlanta University school of social work, and earlier served as assistant to A. U.'s president.

The present governor of the Virgin Islands is Walter Gordon of California, who was appointed by President Eisenhower.

Congressman Powell's first batch of bills for the new Congress included one providing for unlimited entry to the U. S. by natives of British Guiana, British Honduras, the British Virgin Islands and the West Indies Federation. These islands now are limited to 100 immigrants each annually.

Say Moron To Get V. I. Post

Chicago Defender Chicago Ill.

WASHINGTON, D. C. — Former Hampton Institute president Alonzo Graseano Moron, a native of the Virgin Islands, is slated to be appointed Governor of the Virgin Islands by President-elect John F. Kennedy according to well informed sources here.

1-(17-23)-61

If so, the first Negro president of the Virginia school would be Kennedy's second major Negro appointment, and a new recruit for Kennedy's corps of Phi Beta Kappa key men. Moron would replace Californian Walter Gordon, the Eisenhower-appointed V. I. governor.

The 51 year old Moron became Hampton president after serving two years as the school's business manager, and was public welfare commissioner for the Virgin Islands during the Roosevelt years, 1933-36. While there he initiated a long-range housing program for the Islands' lower income families.

In 1936, and until he went to Hampton in 1946, he held a number of federal housing posts in Atlanta, also lectured at Atlanta University School of Social Work, and earlier served as assistant to A.U.'s president.

A 1927 graduate of Hampton, he was also the school's first alumnus elected president. He graduated cum laude from Brown university in sociology, where he was elected to Phi Beta Kappa.



MORON

Mrs. Jones collector of customs for V.I.

The Afro-American p. 18

Sat. 12-23-61

Baltimore, Md.

WASHINGTON — Treasury Secretary Douglas Dillon this week announced the appointment of Mrs. Ruth Holloway Jones of New York City, as Collector of Customs at St. Thomas, Virgin Islands.

Mrs. Jones has been employed by the Internal Revenue Service in New York for more than 25 years. She entered the service as a typist and comptometer operator in the 3rd Collection District of New York City in August 1935.

AT THE time of her appointment as Collector of Customs she was an Internal Revenue Agent, reviewer and instructor in the Office of the Director of Internal Revenue, Manhattan District.

Included among the various positions Mrs. Jones has held with the service are assistant head of the correspondence unit, tax accountant, and auditor and group supervisor of office auditors.

She has been awarded certificates by the Revenue Service for instructor training workshop and audit specialist.

* * *

BORN IN NEW YORK City on June 27, 1908, Mrs. Jones received her early education in public schools there, and in 1935 was graduated from the Harlem Evening High School.



NEW CUSTOMS COLLECTOR — Mrs. Ruth H. Jones of New York City is sworn in as Collector of Customs at St. Thomas, Virgin Island. She is the wife of J. Raymond Jones. Administering the oath at left is A. Gilmore Flues, assistant Secretary of Treasury. At right is Philip Nichols Jr., Commissioner of the Bureau of Customs.

IN WEST VIRGINIA:

Higginbotham is health chairman

Hue Opinion News p. 9
Oct. 7-29-61

Baltimore, Md.

BLUEFIELD, W. Va. — Dr. P. R. Higginbotham, Bluefield, West Virginia, this week, was elected chairman of the State Board of Health of West Virginia.

He was re-appointed by Governor W. W. Barron for his second nine-year term on the State Board of Health. He is the first colored person to serve on the board and first to be elected by the board members and chairman of the State Board of Health.

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Dr. Higginbotham is widely known in medical circles throughout the country. He is a Howard University graduate. A graduate of the Preparatory School, the College and Howard Medical School, he also interned at Freedmen's Hospital in Washington, D. C.

His wife is the former Gwendolyn Hughes, sister of Bernice Hughes Martin, wife of Dr. J. Ernest Martin, also of Bluefield, West Virginia. The Hughes sisters are daughters of the later Bishop W. A. C. Hughes, Philadelphia and Baltimore, Methodist Episcopal Church.

When the State Board of Health of West Virginia organized ten years ago, Dr. Higginbotham was appointed by the governor to serve as a member of the board for nine years. The present Governor Barron re-appointed Dr. Higginbottham.

The members (all white) of the board unanimously elected Dr. Higginbotham chairman for the next two years.

Congratulations are pouring into the Higginbotham home at 132 Williams St. Bluefield.



DR. P. R. HIGGINBOTHAM



HIGH WISCONSIN POST — Governor Nelson of Wisconsin administers oath of office to Attorney Stanley Hebert, new member of the Wisconsin Public Service Commission. Mrs. Hebert, the former Miss Mary Lou Usher of Atlanta, witnessed the ceremony.

WISCONSIN ATTORNEY GETS $14,000 POST

Atlanta Daily World

MADISON, Wis.—Attorney Stanley P. Hebert was sworn in on the morning of August 1st as a member of the Wisconsin Public Health Service Commission. Governor Nelson administered the oath in his office. The $14,000-a-year position is the highest Wisconsin government post ever held by a Negro.

Attorney Hebert's appointment to the six-year post was confirmed last month by the State Senate. He is one of three members of the commission established to regulate all utilities and transportation facilities in the state. The term, which was the only one being filled of the three-man commission, expires in March, 1967.

Attorney Hebert replaced Dr. Martin Glaeser, a University of Wisconsin professor, who was named an economic advisor for the Federal Power Commission. For the last three and a half years Attorney Hebert has served as assistant city attorney for Wilwaukee. He also taught at North Carolina College after working for the Milwaukee district office of price stabilization.

Attorney Hebert is married to the former Mary Lou Usher, daughter of Rev. Father and Mrs. Samuel C. Usher of 1401 LeFrance was a former "Miss Fisk" at Fisk University, Nashville, Tennessee, where she majored in music. Mrs. Hebert decided against a musical career for matrimony. The Heberts have four children.

Job Equality Cooperation Pledged By Contractors, Unions In Achieving Goals

Atlanta Daily World p. 6
Atlanta Dr. Wed. 5-10-61

Fullest Use Of Conciliation And Education Assured

WASHINGTON, D.C. — Union officials and leading defense contractors have pledged cooperation in achieving the goals of the President's Committee on Equal Employment Opportunity.

This was reported by Vice President Lyndon B. Johnson, Committee chairman, and Secretary of Labor Arthur J. Goldberg, vice chairman, after a 2-day series of meetings, here. The meetings were called by the Vice President to discuss the President's order creating the Committee and setting its goals. Both the Vice President and Secretary Goldberg expressed their appreciation for the cooperation evidenced by the two groups.

Present May 2 were 48 of the Nations biggest contractors, who were addressed by President Kennedy and Secretary of Defense Robert McNamara. The President also addressed the May 3 meeting, attended by members of the AFL-CIO Executive Council, Building Trades Department, Industrial Union Department, and Railway Labor Executives Association.

Vice President Johnson and Secretary Goldberg assured the businessmen and labor leaders that the Committee would not act as a "policing" agency, but would make the fullest use of conciliation, persuasion, and education to eliminate discrimination because of race, creed, color, or national origin from Federal employment and Government contract work.

They stressed, however, that sanctions provided in the President's order would be used whenever circumstances required their use. These sanctions include cancellation of contracts and debarment from future Government contracts, as well as public hearing and recommendations to the Attorney General for action.

Proposed Committee rules and regulation which will apply to employment on Government contracts were scheduled to be distributed in a few days, it was announced. A public hearing will be held before the rules become effective.

WHITE HOUSE ASKS NEW ETHICS CODE FOR FEDERAL JOBS

The N.Y. Times

Congress Message Calls for High Standards for Aides in Executive Branch

New York

OUTSIDE WORK BARRED

But Kennedy Would Relax Rules for Consultants Who Serve U. S. Part Time

Fri. 4-28-61

Text of President's message will be found on Page 16.

By W. H. LAWRENCE
Special to The New York Times.

WASHINGTON, April 27—A major overhaul and modernization of conflict-of-interest laws affecting officials and employes of independent agencies was proposed to Congress today by President Kennedy.

The aim of his special message was:

¶To provide more effective restraints and enforceable penalties against employes and former employes who do not maintain "high ethical standards."

¶To relax old, vague, seldom-enforced provisions of present laws that nevertheless have been a barrier to recruitment of "qualified people for Government service," especially part-time consultants and advisers such as scientists, accountants, lawyers and economists.

Asks for New Statute

He called for an entirely new statute to be known as the Executive Employes' Standards Act to replace seven separate, often uncoordinated, conflict-of-interest statutes dating to Civil War times.

"The fundamental defect of these statutes as presently written," Mr. Kennedy told Congress, "is that: on the one hand, they permit an astonishing range of private interests and activities by public officials which are wholly incompatible with the duties of public office; on the other hand, they create wholly unnecessary obstacles to recruiting qualified people for Government service."

Major changes in present law proposed by Mr. Kennedy would:

¶Exempt from the general conflict-of-interest statutes part-time consultants and advisers who devote less than one-third of their time to Government service in any one year.

¶Bar lawyers leaving the Government from "forever" handling any matter in which they officially participated, but freeing them from the current two-year post-employment prohibition on handling any transaction that might have been pending in any governmental department while they held office.

¶Broaden the court definitions of conflict-of-interest cases in criminal prosecutions. These definitions are now so narrowed that in many instances they provide punishment only for employes and former employes pressing "claims of money and property" against the Government. Instead, Mr. Kennedy suggested penalties for persons involved in conflicts of interest in nearly every kind of governmental transaction including seeking licenses for television or radio stations, airline routes, electric power sites and similar requests for Government aid, assistance or approval.

¶Permit regular governmental employes, under proper regulations, to continue to participate in private pension systems, private group health, insurance and accident programs, and already established profit-sharing and stock bonus programs. Present laws forbid any "increment" to governmental salaries.

¶Prohibit absolutely "ex parte," or secret, communications to independent agencies in matters involving quasi-judicial decisions based on formal records under separate codes of behavior. These codes would be promulgated by the agencies within 120 days after passage of the act and thereafter approved by Congress.

Takes Broad Approach

The Kennedy approach was a broad one, taking into account the scandals of both the Truman and Eisenhower Administrations and the disclosures of the House Special Subcommittee on Legislative Oversight in its investigation of regulatory agencies in the last four years.

He proposed not only a new statute, but he also outlined a series of executive orders, memorandums and other official actions that would deal with the problems of gifts to Government workers, prohibit outside compensation for speeches and writing "for any activity within the scope of official duty," and prohibit any outside employment "incompatible" with Government service.

The program proposed today applied only to officials and employes of the executive and independent agencies. Mr. Kennedy said existing laws relating to the judiciary were deemed adequate, but "the adequacy and effectiveness of laws regulating the conduct of members of Congress and Congressional employes should be left to strictly Congressional determination."

The President assumed "the gravest responsibility" in setting a standard for the maintenance of the highest ethical standards not only by himself but by his associates.

"No President," he declared, "can excuse or pardon the slightest deviation from irreproachable standards of behavior on the part of any member of the Executive Branch. For his firmness and determination is the ultimate source of public confidence in the Government of the United States. And there is no consideration that can justify the undermining of that confidence."

These words recalled President Eisenhower's initial reactions to the disclosures by House Subcommittee on Legislature Oversight that his principal lieutenant, Sherman Adams, had accepted gifts and favors from Bernard Goldfine, Boston industrialist, and also had inquired of Federal agencies about the handling of complaints against Mr. Goldfine. General Eisenhower said that Mr. Adams perhaps had been "indiscreet," but concluded he would retain him in office because "I need him." As the political heat mounted in the campaign year of 1958, Mr. Adams was permitted to resign.

Mr. Kennedy said he would place in the executive office of the President a single officer charged with "responsibility for coordinating ethics administration and reporting directly to the President." Each Cabinet member and agency head was also being asked to draw up regulations designed to maintain high moral and ethical standards.

The President approached only indirectly the problem of Cabinet members such as Secretary of Defense Robert S. McNamara and former Secretary of Defense Charles E. Wilson who were required to divest themselves of large amounts of automobile company stocks as a requirement for confirmation by the Senate. Such divestitures are not required specifically by law, and Senate committees do not adopt uniform requirements for appointees.

Mr. Kennedy said he would apply "Government-wide standards to the continuance of prop-

erty holdings by appointees to the Executive Branch," including those not subject to Senate confirmation.

Would Ease Penalties

The aim of such standards, he said, would be to insure that employes "live up to the highest standard of behavior." He declared it his hope that "these regulations will aid in the Senate in the uniform exercise of its own responsibility."

Because present laws with criminal penalities have seldom been invoked, Mr. Kennedy said that an important additional arm of enforcement was establishment of departmental and agency regulations providing disciplinary measures, including dismissal. The present criminal penalties provide fines of $10,000 and/or two years' imprisonment, but the new statute would provide fines of $10,000 and/or one year imprisonment.

He did not mention specifically the gift-giving scandals that marked the final days of the Truman Administration and provided a campaign issue for Republicans in 1952. However, Mr. Kennedy said he would issue a Government-wide order embodying the general principle that "any gift which is, or appears to be, designed to influence official conduct is objectionable."

He also said he would prohibit Government employes from using for private gain official information that is not available to the public, adding that "this regulation will be drawn with due regard for the public's right to proper access to public information."

"A Government employe," he declared, "should not be able to transform official status into private gain, as is done, for example, if a Government employe speculates in the stock market on the basis of advance knowledge of official action."



NUMBER, PLEASE asks Carole Ellison every day. The attractive young lady is the new switchboard operator at the Washington AFRO-AMERICAN. Our photograph caught her between calls, and we can think of no more delightful way to say "AFRO" whenever you call our office. (AFRO photo by Sorrell).



The Evening Star Washington, D.C.
Wed. J-19-61 P. 3 162

GOLDBERG WITH TWO NEW EMPLOYES

Labor Secretary Goldberg chats with two men recruited for positions in the Labor Department as part of a program to open more Federal jobs to Negroes. At left is Samuel Gibson, jr., of Raleigh, N. C., at right, Obie Pinckney, jr., of Columbia, S. C. Mr. Gibson is a graduate student at North Carolina College in Durham; Mr. Pinckney attends South Carolina State College in Orangeburg.—AP Photo.



PRETTY AND TALENTED visitor gets key to city from Baltimore's Mayor J. Harold Grady. She is Mrs. Vel Phillips, Milwaukee attorney and a Wisconsin Democratic National Committeewoman. Smiling approval are Mrs. Martin Jenkins, wife of the president of Morgan State College, where Mrs. Phillips spoke at student assembly under a program arranged by Dr. G. James Fleming, right.

Baltimore falls in love with pretty, pert, petite visitor

Mrs. Vel Phillips, just 37, is Milwaukee's first woman council member in 114 years; is serving second term as Democratic National Committeewoman; runs law office with her husband; cares for two children.

By B. M. PHILLIPS
BALTIMORE

It is not every day that Baltimore has a distinguished visitor who is pretty, pert, petite and brilliant too.

But, this week, the city has been charmed by just such a person. She is Mrs. Vel Rodgers Phillips, 37-year-old member of the Milwaukee City Council, the first female member since it was created in 1846, 114 years ago. She is serving her second four-year term.

She has gained national attention as Democratic National Committeewoman — a post to which she was named in 1958, and re-appointed last year. Last month, she was cited for the work she did in Wisconsin to help elect President Kennedy.

Mrs. Phillips is also the other half of the firm of Phillips and Phillips. She and her husband, Dale, hold degrees from the University of Wisconsin Law School. They have two sons, Dale, 4; and Michael, 2.

Mrs. Phillips came here to address the Morgan State College Student Assembly Wednesday, at a program arranged by the Institute for Political Educations headed by another Wisconsin grad, Dr. G. James Fleming.

* * *

HER APPEARANCE coincided with the college's annual celebration of Woman's Week, directed by Dean Thelma Bando.

Just 5 feet 2, and weighing "a little under 103 pounds," Mrs. Phillips looked more like a student than the brilliant woman she is.

Her head barely came above the podium in the Murphy Fine Arts Building where some 1,200 students assembled to hear her.

Her sparkling eyes, disarming smile and silky voice kayoed the students. They sat entranced, listening to her every word.

* * *

IT WAS APPARENT that Mrs. Phillips was no ordinary visitor on Tuesday shortly after she arrived in the city, and literally captured the heart of the city's chief executive, Mayor J. Harold Grady.

After handing her the key to the city, he made a confession. He had thought his schedule too busy to attend a reception in her honor later in the day, but he felt now, he could rearrange his program and attend.

And, he did. He was present at the reception held at the home of Morgan President and Mrs. Martin Jenkins, as were some three dozen other city and state dignitaries.

For instance, Gov. Tawes' executive secretary Edmund Mester. City Council Presi-

dent Phil Goodman, State Senator J. Alvin Jones, Dr. Carl Murphy, president of the Morgan trustee board; Judges Josiah Henry and Robert Watts, Dr. Mildred Otenasek, Md. Democratic National Committee woman, and Charles Howard, an attorney and Mrs. Phillips' classmate at Howard University, where she earned her A.B. degree, to name a few.

* * *

AT THE AFRO office where male employees purport to be experts on beauty, Mrs. Phillips literally stopped the clock as she moved from department to department to learn how a newspaper is assembled.

And, there were admiring glances from women employees. One, a hardened critic of feminine charms, was moved to note, "My, she's pretty, and so small too."

Later in Annapolis, where she attended a session of the Maryland Legislature with Delegate Verda Welcome, there was no end of head-turning.

A prominent lawmaker, whose name must remain anonymous, asked in wonderment, "Is she really a city councilman... and a national committeewoman too?

When his questions were answered in the affirmative, his sole comment was "whew..w..w.....!"

Milwaukee attorney awarded $14,000-a-year state post

MILWAUKEE (ANP) —Stanley P. Ebert, 38, a Milwaukee assistant city attorney, was appointed last week to a six-year term on the state public service commission.

Gov. Nelson said this is the highest post a colored person has ever held in Wisconsin government. Mr. Ebert, 38, succeeds Martin Glaeser, a 72-year-old University of Wisconsin professor, in the $14,000-a-year post.

The new appointee has been an attorney with the office of price stabilization and has taught law at Southern University and North Carolina College. He has been assistant city attorney in Milwaukee since 1958. He is married and the father of four children.

34d 1961

ADA AMERICANS FOR DEMOCRATIC ACTION

Howard Murphy cited at ADA testimonial

Blue Afro-American
Baltimore Md.

BALTIMORE

Howard H. Murphy, chairman of the Baltimore Chapter of Americans for Democratic Action from 1957 to 1960, was the guest of honor at a testimonial dinner held by the Executive Board of ADA at Wilson's Restaurant last Thursday.

Sidney Hollander, the master of ceremonies, expressed the appreciation of the Baltimore Chapter for Mr. Murphy's energetic and able leadership of the group for the past three years.

He presented Mr. and Mrs. Murphy with a Lazy Susan as a gift of appreciation from the Chapter.

Among the guests at the dinner were Mrs. Sidney Hollander, Dr. August Meier, present chairman of the Baltimore Chapter of ADA, Dr. and Mrs. Frank Furstenburg, Leon Rubinstein, Jack Levin, and Oliver Singleton.

After the dinner, Dr. Meier led a short meeting of the Executive Board at which Plans for the annual Roosevelt Day dinner were discussed.

The noted historian, Arthur M. Schlesinger, Jr., will be the featured speaker at the dinner, which will be held on Feb. 28 at the Sheraton Belvedere Hotel.

* * *

MR. MURPHY, is chairman of the Roosevelt Day Dinner. Other features of ADA's program, including a study of reapprotionment, were also discussed.

Other members of the Executive Board present were Harry Goldman, the Rev. Edward G. Carroll of the Sharp Street Methodist Church, Miss Elsbeth Levy, Herbert, Fedder, Ivor Kratt, Miss Barbara K. Waller, Robert B. Watts, and Mr. and Mrs. Henry Waskow.

Mrs. Walter L. Rosenthal, Mrs. Charles Bardoff, Mrs. Giles Brown, Miss Una Corbett, and Mrs. E. R. Weiner were also present.

ADA Needs Negro Aid to Nag Kennedy

New York Herald Tribune Washington Bureau

By LYLE C. WILSON,
United Press International.

WASHINGTON, Oct. 7.—The left-wing Americans for Democratic Action (ADA) needs some Negro help in the ADA campaign to show President Kennedy the error of his ways.



Lyle C. Wilson

ADA is unhappy with the record of the first session of the 87th Congress, just adjourned. It charges that President Kennedy made a deal with Southern Democrats on civil rights and filibuster. The deal, of course, would have been for the administration to permit Congress to adjourn without acting on either of these issues.

Congress did adjourn without any such action. It must be noted, however, that the powerful Negro pressure groups have not yet begun to complain loudly against the Kennedy administration. Their interest in easing the Senate's filibuster rule and in more civil rights legislation is great. Any indication that the White House had double-crossed them on these matters scarcely could fail to arouse angry protests.

ADA's political reflexes are especially sensitive to Kennedy administration performance because ADA must still be reckoned as in semi-mourning for what might have been: the Democratic nomination of Adlai E. Stevenson for President.

ADA contends its adverse criticism was aimed at Congress rather than at the President. The ADA editorial expression of opinion, however, said:

"The President gave the Southern bloc in Congress exactly what it wanted—no civil rights legislation and no aid to the anti-filibuster fight. In return, they voted against him . . ."

That scarcely reads like applause.

Leaders of ADA judge Mr. Kennedy by the standards they believe their hero would have established if he instead of Mr. Kennedy had been installed in the White House. ADA asserts that President Kennedy's alleged deal with the Southern Democrats failed to win their support for his program and that they voted against him most of the time on really significant issues. Perhaps this is a fact.

It is equally true, however, that Mr. Kennedy would have jeopardized all of his legislative program in the recent session if he had forced a showdown on the filibuster and on civil rights. ADA now is demanding of Mr. Kennedy what the Democrats were demanding of President Eisenhower during much of his White House term. They demand Presidential leadership.

Specially, ADA wants Kennedy leadership in the next session to force Congress to act on civil rights, the filibuster, medical care for the aged, tax reform, aid to education, reciprocal trade and all else to which the Democratic platform committed the party.

* * *

If President Kennedy attempts next session to force-feed Congress with the civil rights and filibuster issues, the legislative uproar is likely to be such as to defeat all other Kennedy administration measures that can be beaten by a general coalition of Republicans and Southern Democrats.

Instead of complaining against Mr. Kennedy, ADA should be congratulating him for his light-footed political maneuvers in getting from the recent session some of his major legislation.

The President can safely continue his civil rights and filibuster program so long as Negro politicians do not turn on him.

Mr. Kennedy's executive orders in behalf of Negroes and appointments of Negroes to high federal office are a sufficient shield against ADA. Good politics, too.

34d 1961

COMMUNISM

MARXISM

OPTIMISTS HEAR ALABAMIAN

Marxism Described

The Montgomery Advertiser

The frightening growth of communism in the world and the threat it poses for the United States was described Friday by an Alabama businessman who visited Iron Curtain countries in a tour last year.

COL. CLARENCE W. Daugette Jr., president of The Life Insurance Co. of Alabama, was the guest speaker at the Downtown Optimist Club. p. 4B

"We are in a war—a very serious life and death struggle—and it is a war we can lose," Daugette warned. We can also win the war, he added, but he said it will "Take all the best brains and efforts of a united people."

Ad. 3-12-61

He said this nation has been losing the cold war and that one reason for this is that "it's a different kind of situation than we have ever been faced with before." The speaker said it has been estimated that only about 5 per cent of the people in the United States understand the nature of communist aims to dominate the world.

DAUGETTE, WHO served as an infantry officer during World War II, said "we need to do something immediately about Cuba." He suggested that the United States declare this hemisphere a "peace zone" and that our forces inspect all ships bound for Cuba for contraband war materials and that any such arms found be seized.

"We need an immediate mobilization plan as President Kennedy said and I'm glad to say we have started it," he said.

The nation should also adopt a comprehensive civil defense plan, he said, and we must back up our committments to our allies.

Montgomery

SINCE 1928 when Russia adopted its first five-year plan, he said, it has developed from a peasant agricultural country to one of the most industrialized societies in the world.

In the past 50 years, he noted, communism has taken over one-fourth of the land area of the world and one-third of all the people.

Daugette said Russian propaganda experts are "behind all the racial unrest in this country" and he told of seeing pictures in Russia of Negroes eating out of garbage cans in the United States.

34d 1961 COMMUNIST

Communist Party Indicted After Failing to Register

New York Times 1/1 Dec. 2-61

New York, N.Y.

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, Dec. 1—A Federal grand jury indicted the Communist party of the United States today for having failed to register as a subversive group. The Justice Department moved swiftly to prosecute the party after its leaders did not register by the deadline of midnight last night.

The party itself was supposed to have registered ten days earlier, by midnight Nov. 20.

The indictment was in twelve counts. Eleven were simply one for each day the party had not registered beginning with Nov. 20.

The twelfth count was for having failed to file a necessary registration statement. Such a statement is supposed to include a complete list of party members and a detailed financial statement.

Fine and Jail Terms

The maximum penalty would be a $10,000 fine on each count, or a total of $12,000. What would happen to the party if it could not raise the cash to pay the fine levied was not clear.

The party leaders are subject to the same fine, plus five years in jail, for every day they fail to register. But the Justice Department held off, for the moment, any prosecution of the individual party officers.

The evident reason was the shuffle in the Communist high command disclosed this week. Party headquarters in New York said yesterday that all party officers had been dropped except three. Other sources identified these as Gus Hal general secretary, Elizabet Gurley Flynn, chairman, an Benjamin Davis, national chair man.

Attorney General Robert F Kennedy said about a possible prosecution of party leaders:

"There are some difficulties that will have to be ironed out."

Government lawyers are believed to be considering, among other things, whether the purported resignations or party officers take them out from under the law.

The law is the Internal Security Act of 1950. It requires "Communist-action" and "Communist-front" groups to register as such, and it set up the Subversive Activities Control Board to decide what organizations fitted the description.

Last June, after an eleven-year legal struggle, the Supreme Court upheld an order that the party must register. The cases of a dozen front groups are pending in the Court of Appeals here.

Mr. Kennedy, in announcing the indictment, made the point that the Internal Security Act does not "outlaw the Communist party, U. S. A."

"The S. A. C. B. found that the party is a Communist-action organization substantially controlled, dominated and directed by the Soviet Union, and therefore is required to register with the Government," he said.

"Such registration is not unusual, as the Supreme Court pointed out in its decision. Registration is required in a number of fields, including the sale of securities, the establishment of welfare and pension plans, campaign contributions and lobbying."

Severe Restraints

The Attorney General also mentioned provisions of Federal law requiring registration of foreign agents and financial reports by labor unions and their officers.

"Many Americans, including respected individuals and law firms," he said, "have registered and obeyed these laws. The Communist party U. S. A. has refused to obey the law. It is our responsibility to enforce the law."

Unlike some of the other regulatory statutes mentioned by Mr. Kennedy, the Internal Security Act imposes severe restraints on registered organizations. Among other things, they lose all tax exemptions, and members may not use passports.

But the Supreme Court, in upholding the registration order, did not pass on these punitive consequences. They will have to be tested if they are applied to the party and its members.

It is clear, in any case, that a further long road of litigation lies ahead in enforcement of the Internal Security Act. The indictment returned today will be tried in the Federal District Court here, but the time is uncertain.

Cited 5th Amendment

In an unsigned letter to the Justice Department on Nov. 10, the party said neither it nor its leaders would register because to do so might incriminate the leaders and members in violation of the Fifth Amendment.

The point is that the Smith Act of 1940 makes membership in a party advocating the Government's overthrow a crime, and the Supreme Court also upheld that clause last June. The Communists contend that to register under the Internal Security Act would be to identify themselves as Smith Act targets.

Individual members of the party are obligated by the law to register themselves if the party and officers fail to do so. The deadline for the members is Dec. 20.

But Mr. Kennedy said that before any member could be prosecuted for non-registration the Justice Department would have to go to the control board and get a new order requiring that particular member to register. That could be a laborious process.

Mr. Kennedy said the party was now directing its activities primarily toward influencing public sentiment against the Internal Security Act.

COMMUNISTS FIGHT REGISTRY CHARGE

N.Y. Times 1, 4 Sat. 12-1-61 N.Y.N.Y.

Party Pleads Not Guilty—Trial Is Set for Feb. 1—Cuban Agency Indicted

By PETER BRAESTRUP
Special to The New York Times.

WASHINGTON, Dec. 8—The American Communist party pleaded not guilty today to charges of failing to register as an arm of the Soviet Union.

Joseph Forer, the party's Washington attorney, entered the plea at a brief arraignment in Federal District Court this morning. Chief Judge Matthew F. Maguire granted Mr. Forer's request for thirty days to file pre-trial motions and set the start of the trial for Feb. 1.

Meanwhile, a Federal grand jury indicted Presna Latina, official Cuban news agency, and its chief American correspondent, Francisco V. Portela, on charges of failing to comply with the Foreign Agents Registration Act. Mr. Portela was arrested in New York.

Gus Hall, 51-year-old, general secretary of the Communist Party sat with spectators at the arraignment. The summons for the party to appear was served on him Saturday night at his Yonkers home, but he was not required to appear.

Mr. Hall told newsmen, with a wry grin, that he had come only as an "interested citizen" he distributed a statement condemning the indictment under the 1950 Internal Security Act as "beginning of a malignant tumor in the political life of the American people."

The party's New York attorney, John J. Abt was also present. He predicted that the registration case would wind up in the Supreme Court after a long series of court battles. The Justice Department was represented by F. Kirk Maddrix, trial attorney for the Department's Internal Security Division.

The party was supposed to have registered by midnight Nov. 20. Its leaders failed to register Nov. 30. A Federal grand jury returned an indictment against the party Dec. 1. The maximum penalty would be a $10,000 fine for each day the party failed to register, or $120,000 total. The party leaders are subject to the same daily fine, plus five years in jail, for every day they fail to register.

Prosecution Delayed

The Justice Department has held off prosecution of party leaders. Last week, Communist leaders said that all party officers had been dropped except three—apparently to limit the leadership's vulnerability to Federal prosecution for failing to register.

Individual members of the party are obliged by law to register if the party and is officers fail to do so. The deadline for the members is Dec. 20. But Attorney General Robert F. Kennedy has indicated that the Justice Department would have to go to the Subversive Activities Control Board and get a new order requiring that a particular party member register. This could be a laborious process.

The Internal Security Act requires "Communist-front" groups to register as such. It set up the control board to decide which groups met the description.

Last June, after an eleven-year legal struggle, the Supreme Court upheld an order that the Communist party register. The cases of a dozen alleged front groups are pending in the Court of Appeals here.

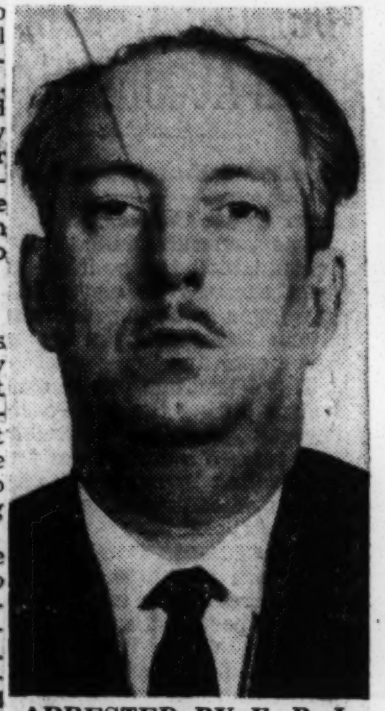
Prensa Latina has about twenty employes at its offices at 580 Fifth Avenue in New York.

The indictment charged that Prensa Latina had been subsidized by the Cuban Government and directed by its officials, including Premier Fidel Castro.

Mr. Kennedy said the act did not prevent Prensa Latina "from doing anything." All it required, he said, was that the agency "register as an agent of the foreign government by which it is controlled."

Mr. Portela, the news service's director since May 1, lives at 215 Willoughby Street, Brooklyn. Born in Cuba in 1908, he is, according to the Justice Department, a naturalized American citizen.

The maximum penalty for Prensa Latina is $10,000. For Mr. Portela the penalty could be five years in prison and $20,000 in fine.



ARRESTED BY F. B. I.: Francisco V. Portela, head of a Cuban agency, who was accused of failing to register as a foreign agent.

Communists The Montgomery Defy Order Advertiser P.1 To Register

Sun. 11-24-61

WASHINGTON (AP) — The Communist party of the United States has formally notified the Justice Department of its refusal to register under the Internal Security Act of 1950.

Atty. Gen. Robert F. Kennedy disclosed Saturday the notice was received by registered letter.

The letter, dated Nov. 10 and bearing the party seal but no individual signature, said the refusal was based on a claim of each party officer's constitutional privilege "not to be a witness against himself." The letter was received Friday.

Montgomery Ala.

Kennedy said the department replied in a telegram to the party that "each and every claim of privilege in your letter of Nov. 10 is hereby rejected."

WITHIN 10 DAYS

"If the party fails to register (by midnight, Monday, Nov. 20) the officers of the Communist party are required by law to register within 10 days," Kennedy told newsmen.

"That 10-day period will expire at midnight, Nov. 30. The Supreme Court has ruled that the Communist party under the law must register with the Department of Justice," Kennedy said. "We will enforce the law."

The registration provisions of the act, upheld by the Supreme Court last June after 10 years of litigation, carry penalties of up to $10,000 for each day of violation. Individual officers and members also are subject to five years in prison for each day of violation.

Party leaders have argued that compliance with the Internal Security Act would leave them open to prosecution under the Smith Act of 1940, which bans teaching or advocating violent overthrow of the government.

The Communist letter was addressed to J. Walter Yeagley, assistant attorney general in charge of the Internal Security Division of the Justice Department.

"This is to advise you that the officers of the undersigned Communist party of the United States, and all of its subdivisions decline to sign or to file or to authorize the signing or filing of, or to supply the information called for by a registration form (IS-51)," the letter said.

The form requires the party to list its officers, members, a detailed accounting of its finances the location of its printing equipment and other information.

Soviet Communists in 22nd Congress

By BERNARD GWERTZMAN.
Star Staff Writer

At 10 a.m. Tuesday, First Secretary Nikita S. Khrushchev will walk to the front of the new Great Kremlin Theater, acknowledge a standing ovation from 4,500 party delegates, and announce:

"Comrades, the 22d Congress of the Communist Party of the Soviet Union has opened."

This is the way party congresses traditionally begin, and there is no reason to anticipate any change in the procedure Tuesday. Nor is there any cause to suspect that the 22d congress will be any less a rubber stamp of Mr. Khrushchev's policies than 1956's 20th Congress or 1959's 21st congress.

In fact, ever since Stalin smashed the Trotsky opposition at the 15th congress in 1927, the congresses have lacked even a trace of controversy. As one observer has written, "Debates grew sterile, dissenting voices lapsed into silence, and all votes became unanimous."

The Supreme Body

The Party Congress is nominally the supreme body of the Communist Party. It is supposed to be called into session at least once every four years, and in theory, the delegates are expected to pass on proposals made by the Central Committee, the 130-man body that runs party affairs between congresses.

In practice, however, the Central Committee, and the ruling group within the committee—the Praesidium—actually control the workings of the party. The congress, as one critic states, is more a "pep rally" than a legislative body.

Despite occasional high-sounding words like "party democracy," the delegates to the congress—the elite of the party—have no power. For propaganda reasons, the party leadership has delgates elected from all over the Soviet Union. This year there is one delegate for every 2,000 CPmembers (there are about 8 million members).

Speeches by Delegates

These delegates are generally the politically minded members, such as the leaders in city or regional organizations, who are most likely to benefit from contact with the party leadership in Moscow. At the congress, several delegates will be asked to make short speeches discussing the work of their particular organization in meeting party goals. After the congress they are expected to return to their organizations and agitate for the programs passed by the congress.

The main topic on the agenda of this year's congress is adoption of the new party program, first published in draft form last August. This Khrushchev-inspired, book-length document outlines the steps Soviet society is expected to take on the utopian road to "communism," when the state will "wither away."

The agenda, published as long ago as last January 10, indicates that Mr. Khrushchev will give a report on the program. After his speech, several speakers most likely will come forth to praise the program and Mr. Khrushchev and pledge themselves to working toward its achievement. A vote will be taken and the program will be passed unanimously.

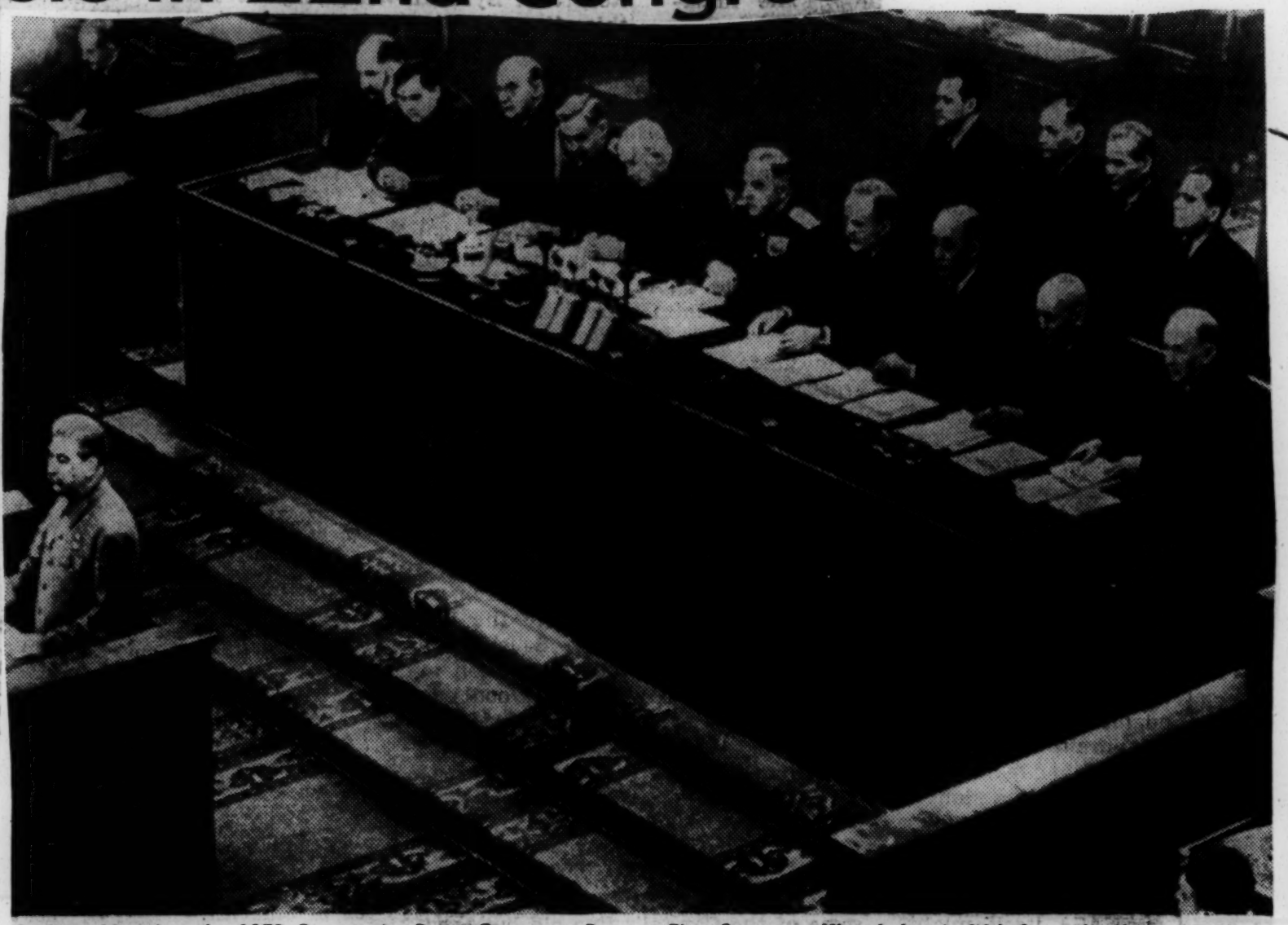
Since all this can be predicted in advance, it might be asked: Why do the Russians go through all the trouble and expense of holding a congress; why doesn't the Central Committee just announce that the program has been adopted?

Party propagandists state that by holding such congresses and exposing them to the widest sort of publicity, the Communist Party gains the support of the masses for its program. In addition, the congresses serve to oil the party machinery.

In this latter sense, the "pep rally," with its hoopla and pledges of allegiance, is similar to a political convention in the United States when the presidential nominee in known in advance.

Nothing that takes place at such a convention is illuminating by itself, but the cumulative result of a week of speeches has the propaganda effect of persuading party members that the party is as strong and vigorous as ever.

Because of the world-wide attention focused on congresses, Communist leaders have always used them to announce significant changes in Soviet policy. Domestically, the different five and seven year plans have been announced at party congresses; Stalin used the congresses to announce the harsh policy of collectivization.



Stalin addressing the 1952 Communist Party Congress. Present First Secretary Khrushchev is fifth from the left.—AP Photo.

Hints for the Future

Foreign observers have often found hints of future Soviet policies at such congresses. At the 18th congress in March, 1939, for instance, Stalin indicated that Russia might sign a pact with Nazi Germany, and in 1956, Mr. Khrushchev outlined much of his theory of "peaceful coexistence."

Undoubtedly, Mr. Khrushchev will speak on Tuesday about the situation in Germany. Western officials will watch his speech carefully to see if he is sincere in his promise to negotiate effective guarantees for West Berlin in return for recognition of East Germay.

In the curious way that Communists have of denoting rank, Mr. Khrushchev is listed as First Secretary. There are several lower case secretaries—the most important of whom is Frol Kozlov, thought my many to be the man who will succeed Mr. Khrushchev. It is indicative of his increasing prestige that Mr. Kozlov is the only other major speaker listed on the agenda. He will outline new party statutes.

New Committee

At the end of the congress—which may last about a week—a new Central Committee will be elected, but this is only a formality since the present committee will nominate its successors.

Tuesday's well-organized congress is a far cry from the first one, held in Minsk in 1896 and attended by only nine delegates, all but one of whom were arrested by the Czar's police. From 1896 until 1903 the party was known as the Social Democratic Labor Party, from 1903 it was known as the Bolshevik Party, and in 1918 it became the Communist Party.

U.S. Reds Rap Life Here on Russian TV

Delegation In Moscow for Party Congress

By The Associated Press

MOSCOW.

American delegates to the twenty-second congress of the Soviet Communist party, scheduled to begin tomorrow at Moscow, have given to the Russians via television an unflattering account of life in the United States.

James Edward Jackson jr. declared on a half-hour TV show here Saturday night that an "iron curtain of lies about the Soviet Communist party program is screening it away from the workers in America."

Jackson is a Virginia Negro described by Rep. Francis E. Walter, D., Pa., chairman of the House Committee on Un-American Activities, a "one of the top Communist conspirators operating in the United States." He did most of the talking on the TV program.

Talking on Weight

Elizabeth Gurley Flynn, seventy-year-old head of the delegation and national chairman of the Communist party of the United States, remarked to the program conductor that she was taking on weight at Moscow.

"Don't worry," snapped deputy chairman Henry Winston. "You'll loose it when you get back."

Winston is a fifty-year-old New York Negro who last June won commutation of a prison sentence from President Kennedy, because of blindness and ill health. He had served five years of an eight-year term for conspiracy to teach and advocate forcible overthrow of the Government of the United States and for contempt in jumping bail.

Arrived Sept. 26

He arrived at Moscow Sept. 26 for what he described as rest and medical treatment. Jackson, a member of the American party's executive committee, accompanied him.

Delegations of thirty-seven foreign Communist parties have now arrived for the congress, to be held in a new, 6,000-seat hall within the walls of the Kremlin. More are on the way.

Communist China sent Premier Chou En-lai. Mao Tse-tung, the party chief in Red China, and President Liu Shao-chi remained at Peiping. Soviet Premier Nikita S. Khrushchev personally welcomed Premier Chou yesterday at Vnukovo Airport here.

President Ho Chi Minh of North Viet Nam and Premier Kim Il Sung of North Korea are among other Asians on the way to Moscow.

Ulbricht Is There

East Germany is being represented by a delegation headed by its Communist party chief, Walter Ulbricht, promoter of the barbed-wire and concrete wall around West Berlin that the Communists set up two months ago.

Members of the Soviet party presidium are working in rotation to welcome the arriving foreigners. Soviet newsmen and cameramen are constantly on duty at the airport, interviewing and photographing the newcomers.

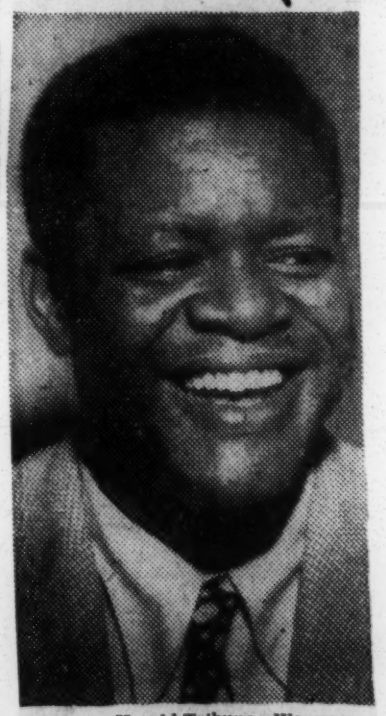
Masses of flags decorate Moscow for the congress, which is to pass on a twenty-year program drafted by Premier Khrushchev for Communist advances at home and abroad. Already known as the "Khrushchev Code," it was approved unanimously on Saturday by the central committee of the Soviet Communist party.

Banners across Moscow streets present slogans such as: "glory to the Communist party of the Soviet Union, glory to the Leninist Central Committee, long live the great Soviet people, builders of communism."



Associated Press

U. S. REDS IN MOSCOW—Elizabeth Gurley Flynn and James Edward Jackson jr.



Herald Tribune—Warman

Henry Winston

34d 1961 COMMUNIST MR. CLAUDE LIGHTFOOT

Illinois Red Wins His Freedom As U.S. Drops Smith Act Trial

Motion to Dismiss Lightfoot Case Based on High Court Rulings Last Year

By AUSTIN C. WEHRWEIN
Special to The New York Times.

CHICAGO, Nov. 15—Claude M. Lightfoot, former chairman of the Illinois Communist party, was freed in a surprise Government action today.

He had been brought into Federal Court for a retrial of the case in which he was sentenced to five years for having violated the Smith Act.

The United States Supreme Court reversed his 1955 conviction and sent the case back for retrial. Today, the Government moved to dismiss the case at a brief hearing before Chief Federal Judge William J. Campbell.

James P. O'Brien, Federal attorney for the Northern District of Illinois, said the dismissal motion had been ordered by Walter Yeagley, Assistant Attorney General in charge of the internal security division.

Donald S. Manion, assistant Federal attorney, who presented the motion, said the Government's decision not to reprosecute had been based on new standards of proof established in two Supreme Court decisions returned last June 5.

Under those decisions, Mr. O'Brien explained, it is necessary to prove that a defendant charged with illegal membership in the Communist party had knowledge of the party's advocacy of the violent overthrow of the Government, or personally advocated it.

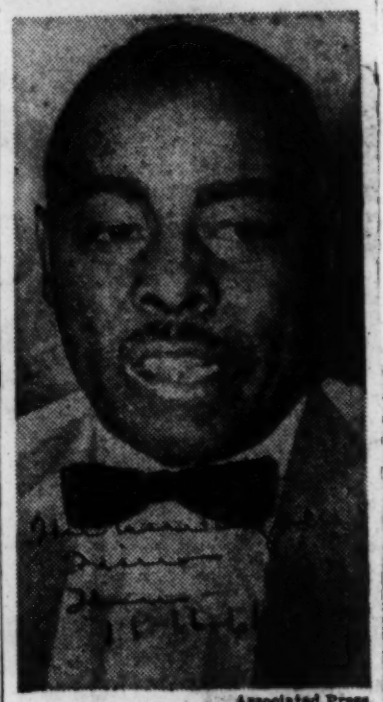
The evidence the Government could produce in a retrial would not meet those standards, Mr. O'Brien said.

"We would have to put witnesses on the stand who could testify to Mr. Lightfoot's beliefs," he noted. "This we cannot do now."

He declined to comment on the possibility of further prosecution of Mr. Lightfoot, but said:

"I am sure the Justice Department will continue a thorough examination of all these people. I don't think we are going to quit our vigilance on these matters."

Mr. Lightfoot said he had expected the Government to ask that the case be continued. After his release he said only, "I'm happy."



Associated Press
Claude Mack Lightfoot

In 1955, a Federal jury here found him guilty of having violated the membership clause of the Smith Act. He was sentenced to five years and given a $5,000 fine.

The Supreme Court reversed the conviction two years later on the ground that Mr. Lightfoot's attorneys had not had access to Federal Bureau of Investigation files in preparation for the defense.

The case was delayed pending court decisions on appeals by Junius I. Scales, one-time secretary of the Communist district embracing the Carolinas, and John F. Noto, a party organizer in western New York.

In the decisions on those cases last June, the Supreme Court set up the criteria that prompted the dismissal of Mr. Lightfoot's case.

U.S. Drops Case Against Top Red

Claude Lightfoot Is Free Because Of Ruling By High Court

By United Press International

CHICAGO, Nov. 15.—The Federal Government Wednesday reluctantly abandoned its six-year-old struggle to send communist leader Claude Lightfoot to prison on charges that he violated the law by belonging to the communist party.

Federal District Judge William J. Campbell dismissed the charges against Lightfoot, executive secretary of the Illinois Communist Party and a member of the Red hierarchy in the United States, on the surprise recommendation of Asst. United States Attorney Donald Manion.

The Justice Department said in Washington it was "reluctantly compelled" to drop the charges because the Supreme Court last June set up a new, more stringent criterion for prosecution of communists under the Smith Act.

Positive Proof Lacking

Manion said Lightfoot was dismissed because the Government was not sure it could prove he had positive knowledge of the party's intent to teach and advocate the overthrow of the Government.

The Justice Department's decision may have an impact upon prosecution of five Smith Act cases still pending in Federal courts. Within an hour after Lightfoot was dismissed, the case of another communist, New York propagandist Max M. Weiss, was postponed until Dec. 16 to allow time for study.

The dismissal stemmed directly from the Supreme Court's ruling last June in tht case of Junius Irving Scales, former communist leader in the Carolinas.

While upholding Scales' conviction, the court ruled in effect that a defendant could not be convicted merely because he taught and advocated overthrow of the Government.

The high court said the Government must prove that this advocacy can reasonably be calculated to incite persons to action and that the defendant has "guilty knowledge and intent."

Lightfoot, a 50-year-old Arkansas-born Negro with a communist record dating back to 1934, was the first top American communist to be indicted simply because he was a member of the party.

He was convicted in 1955 and sentenced to five years in prison. The Supreme Court upheld his appeal in 1957, however, and ordered a new trial which was scheduled to begin Wednesday.

Lightfoot, gray-haired, mustached and of dignified appearance, came into court indicating he was braced for a long legal battle.

Surprise Shows

His jaw dropped and his eyes bulged when Manion asked that charges be dropped. His attorney, Doris Koonerad, turned to the prosecutor and asked: "Why didn't you tell me you were going to do this?"

Lightfoot has been free ever since his 1955 conviction and continued to direct state Communist Party affairs from a shabby office in Chicago's Loop. He also is vice chairman of the national committee of the American Communist Party.

At the time of his first conviction, it was believed a precedent had been set in prosecution of communist leaders. Eighty-one communists had been convicted under the Smith Act for teaching, advocating or encouraging violent overthrow of the Government.

34d

KHRUSHCHEV OPENS CONGRESS TODAY

The New York Times
10 Tuesday 1961
New York N.Y.

22d Party Meeting to Hear Premier Outline Foreign and Domestic Policy

By THEODORE SHABAD
Special to The New York Times.

MOSCOW, Oct. 16 — The twenty-second congress of the Soviet Communist party, hailed in the Soviet press as a milestone in history, will open tomorrow.

The 6,000 seat auditorium of the Kremlin Palace of Congress has been rushed to completion for the occasion. Premier Khrushchev will report on the work of the partys Central Committee since the last congress in 1956 before 4,500 delegates, the elite of Soviet society and hundreds of guests from the Soviet Union and abroad.

The Premier's speech will outline Soviet policies in the domestic and foreign spheres. International sections of the address, which is expected to last five to six hours, will undoubtedly state the latest Soviet attitudes on the east-west dispute over Germany and Berlin.

A Twenty-Year Plan

In subsequent sessions, which are expected to extend over a period of ten days to two weeks, the congress also will hear reports by Mr. Khrushchev on the party's new program and by Frol R. Kozlov, a party secretary, on the party's statutes.

The program, only the third Communist document of its kind, sets the party's guidelines for the next twenty years, leading to the establishment of the basis of a "Communist society."

The statutes define the party's aims, membership rules and similar aspects of internal organization. Both documents are to be formally adopted following discussion at the Congress.

A selected number of Western newsmen in the Soviet capital have received invitations to the first day's session. The remainder of congress is expected to be closed to all except party members.

Pravda, the official party newspaper, Izvestia, the Government publication, and other leading Moscow newspapers will expand from their normal four to six pages to accommodate the texts of the congress speeches. There will be no live radio or television from the congress, but three half-hour television shows daily are to provide recorded highlights in addition to the regular news coverage.

Wladyslaw Gomulka and Antonin Novotny, communist leaders of Poland and Czechoslovakia, respectively, arrived today. Albania, whose relations with the Soviet Union have been cool in recent times, is represented by a lower-level delegation that does not include Enver Hoxha, the nation's Communist chief.

Among the foreign groups invited to attend the congress are delegations from Ghana, Guinea and uba. These delegates are believed to be the first non-Communist foreign observers attending a Soviet party congress. Ghana, Guinea and Cuba have leaned increasingly toward the Communist bloc in domestic and foreign policies.

Setting the tone for the occasion, tonight's edition of Isvestia carries a red banned headline proclaiming:

"Long live the Twenty-second Congress of the Soviet Communist Party!" In a photmontage on page one of the benign face of Lenin superimposed on the text of the party program smiles on a large crowd. Red widely used slogans: "Peace, labor freedom, equality and happiness of all peoples."

The inside pages of Isvestia are filled with panegyrics to the congress titled, "A Manifesto of Peace," "The Deep Roots of Happiness" and "The Time of Miracles Is Upon Us."



Associated Press Radiophoto

AS CHOU ARRIVED IN MOSCOW: Premier Chou En-lai of Communist China being greeted at airport on Sunday by Premier Khrushchev. A party congress is opening today.

34d 1961

COMMUNISTS

For incitation, disruption, agitation—

Communists luring college youth into Marxism

BY EDWARD J. MOWERY
News special writer

WASHINGTON, Jan. 28—Congressional experts on subversion and spokesmen for security agents warned Friday that a determined drive is under way to establish Marxist youth groups on America's campuses.

The campaign—billed as a "socialist-oriented" movement to entice "progressive" students—is actually a Communist Party feint to solidify by next Labor Day a full-blown Leftist youth organization with a nucleaus of 80 college groups.

Emboldened by student "demonstrations" here and abroad, the drive to enlist unwary students has two immediate aims:

1. To establish a Communist Party youth front in lieu of the ill-fated "Labor Youth League" and "American Youth for Democracy."

2. To have on instant call an organized student group for tactics of incitation, disruption and agitation.

"This is not a casual Red-sponsored youth maneuver," one official declared. "The movement is gaining momentum from Portland, Ore., to Madison, Wis., and . . . it's deadly. These people are seeking recruits even among theological students."

THE CAMPAIGN began with little fanfare last March 7 when Mortimer Daniel Rubin toured college campuses in the South. He appeared before southern student groups as a "youth leader." (He is national youth director of the Communist Party.) And he solicited the support of white students for "sit-in" demonstrations.

On March 28 at the University of Wisconsin, Rubin relinquished the main speaking role at a "youth forum" in favor of Herbert Aptheker, known to his youthful audience asedroti of Herbert Aptheker, known to his youthful audience as editor of "Political Affairs."

("Political Affairs" is the notorious "theoretical" magazine of the Communist party.)

Rubin's barn-storming "grand" tour included appearances at William and Mary College (Williamsburg, Va.), University of North Carolina (Chapel Hill), Duke University (Durham, N. C.) and Union Theological Seminary (attached to the University of Virginia.)

Young man goes West

WITH THE GROUND work well laid in parts of the South and Midwest, the Communist functionary swung to the West Coast, On Oct. 28, he met with an assembly of students at Reed College, Portland, Ore., and on Nov. 1 at the University of Washington (Seattle) the "youth leader" unveiled a new come-on.

He distributed copies of "New Horizons for Youth," a monthly Marxist publication edited by . . . Mortimer Daniel Rubin.

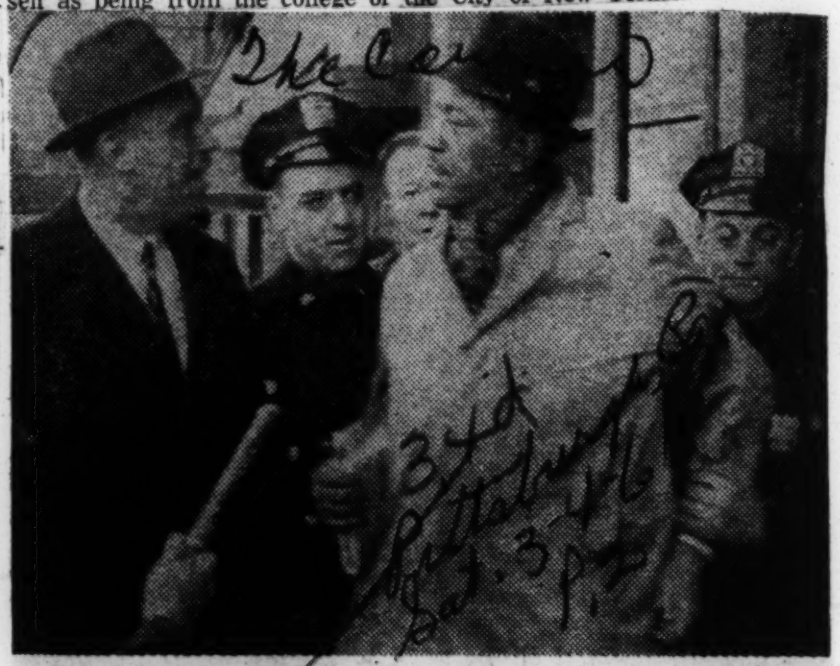
On the folliwng day, the "editor" addressed a youth rally at Seattle's Wilsonian hotel.

Throughout his tour of campuses, Rubin urged students to participate in the national "organizing conference" of "progressive" yout hto be held in Chicago starting Dec. 30.

Rubin proved to be a superb salesman. No less than 86 delegated appeared at the 3-day meeting held in Chicago's Albany Park cultural center.

Their average age was 22 and the regisreted from these states: California, 3; Washington, 4; Pennsylvania, 21; Ohio, 5; New York, 19; Minnesota, 2; Illinois, 29, and one each from Oregon, Michigan and Iowa.

Rubin and two other group leaders conducted a pre-conference press interview to deny all Communist Party connections with the meeting. At his side were Alva Buxenbaum, 24, teacher in a Philadelphia suburb, and Milton Anthopoulos, who identified himself as being from the college of the City of New York.



EJECTED FROM UN—Benjamin Davis Jr., former New York City Councilman who served a prison term as a convicted Communist conspirator, is ejected from the United Nations by two policemen.

34d 1961 COMMUNIST

Dr. DuBois, Negro Writer, 93, Joins the Reds; 'Communism Will Triumph,' He Asserts

By Ralph Chapman

Dr. W. E. B. DuBois, ninety-three, Negro writer long associated with alleged Red-front organizations, has applied for and received membership in the Communist party of the United States.

Formal announcement will appear in the Sunday edition of The Worker, the party newspaper, but a story written by James E. Jackson, editor, and an exchange of correspondence between Dr. DuBois and Gus Hall, general secretary of the party, was made public yesterday.

Mr. Hall and other officers of the party have been ordered by the government to register with the Justice Department as leaders of a "Communist action" arm of the Soviet Union no later than a week from today. They have stated that they do not intend to do so. If they persist in this stand, each will be liable, under the Internal Security Act, to a fine of $10,000 and five years in jail for every day of violation.

Among those subject to the penalties is seventy-one-year-old Elizabeth Gurley Flynn, national chairman of the party. Miss Flynn, who returned recently from the twenty-second congress of the Soviet Communist party in Moscow, said yesterday that Soviet students, teachers and others were "horrified and amazed that I was returning." She refused invitations to stay in Russia, she said, although "the simple truth is that I risk a life sentence."

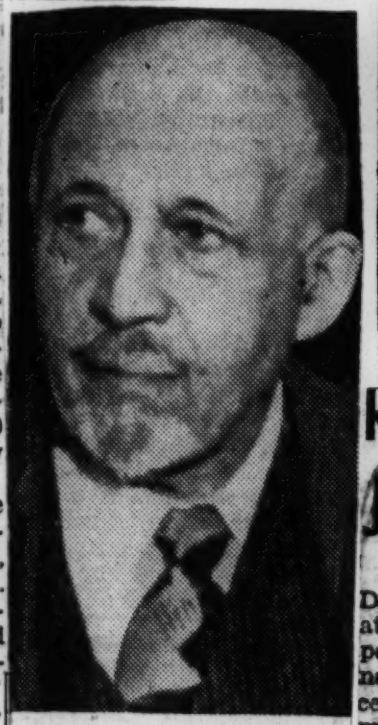
"It happens that I am an American," she continued. "I love my native land . . . I have returned to fight for my rights and those of all Americans, rights embedded in our Constitution and Bill of Rights."

American Communists have insisted that the required registration is an invasion of their rights under the Constitution, but Attorney General Robert F. Kennedy said last week that "each and every claim of privilege is . . . rejected."

Dr. DuBois, winner of the Lenin International Peace Prize, wrote to Mr. Hall from Ghana, the West African country where he is currently working on ar "Encyclopedia of the Negro." After outlining his earlier political gropings, he said:

"Capitalism cannot reform itself; it is doomed to self-destruction. No universal selfishness can bring social good to all.

"Communism—the effort to give all men what they need and to ask of each the best they can contribute—this is the only way of human life."



Dr. W. E. B. DuBois



Associated Press

Elizabeth Gurley Flynn

Report DuBois Joins Red Party

NEW YORK CITY — (NNPA)— Dr. W. E. B. DuBois, 93, now busy at work in Ghana on an "Encyclopedia of the Negro," was said Wednesday to have applied for an received membership in the Communist Party of the United States.

This was revealed in a story written by James E. Jackson, editor of the party newspaper The Worker, and confirmed by an exchange of letters between the Negro writer and Gus Hall, general secretary of the party.

Communist Party sources said formal announcement of Dr. DuBois' shift to full party affiliation would appear in the Sunday, Nov. 26, edition of The Worker.

Officers of the organization have been ordered by the Government to register with the Justice Department as agents of the Soviet Union by Nov. 30, or face a fine of $10,000 and five years in jail for each day of violation.

NOVEMBER
DR. W.E.B. DuBOIS, NEGRO WRITER ..., HAS APPLIED FOR AND RECEIVED MEMBERSHIP IN THE COMMUNIST PARTY OF THE UNITED STATES
(New York Herald Tribune Thurs.11-23-61 P.3)

Negro Writer W. E. DuBois Joins Communist Ranks

NEW YORK (AP) — Dr. W. E. B. DuBois, Negro writer, applied for and was given membership in the Communist Party of the United States, the New York Herald-Tribune said Wednesday.

The newspaper said formal announcement of DuBois' membership acceptance will appear in the Sunday edition of The Worker, the party newspaper.

A story written by James E. Jackson, editor of The Worker, and an exchange of correspondence between DuBois and Gus Hall, general secretary of the party, was made public Wednesday, the Herald-Tribune said, adding that DuBois wrote to Hall saying:

"Capitalism cannot reform itself; it is doomed to self-destruction. No universal selfishness can bring social good to all.

"Communism—the effort to give all men what they need and to ask the best they can contribute—that is the only way of human life."

DuBois, winner of the Lenin International Peace Prize, wrote to Hall from Ghana where he currently is working on an "Encyclopedia of the Negro."

34d 1961

DEMOCRATIC

The Kennedy Program Now

The Sunday Star, Washington D.C.

Aid to Education. President Kennedy requested $2.3 billion for grants for public school ~~classroom~~ construction and teachers' salaries. Hearings, enlivened by parochial school issues, are underway in both the Senate and House.

34 d

Democratic

Medical Aid to the Aged. The President proposed a medicare plan for the aged to be financed through the Social Security System. Neither House has begun hearings.

Minimum Wages. Mr. Kennedy recommended an increase from $1 to $1.25-an-hour over a two-year period, with 4.3 million new workers to be covered. The House balked. It passed a measure calling for a rise to $1.15 and covering 1.4 million workers. Senate bill still in committee.

Sun. 3-26-61

Housing. The President put forth a multi-billion program for better housing, urban renewal and revitalization of the construction industry. Neither House has begun hearings.

Depressed Areas. Mr. Kennedy requested $393 million to aid areas of chronic unemployment. The Senate has passed the administration bill. A companion measure is ready for clearance to the House floor.

PB-5

Jobless Pay. The President's 13-week $1 billion extension plan for unemployment compensation for workers who have exhausted their benefits passed both Houses and was signed by Mr. Kennedy.

Feed Grains. The President's plan, in amended form, to reduce acreage of feed grain plantings through added payments to farmers who comply, passed both Houses and was signed into law.

Social Security. Mr. Kennedy proposed a broadening of the social security program to provide retirement payments at a reduced rate for men at 62, higher minimum benefits and benefits to aged widows. Neither House has begun hearings.

Kennedy in San Juan;

The Atlanta Constitution P.1

Tense Caracas Waits

Sat, 12-16-61

35,000 to Guard Venezuela Visit

Atlanta Ga

By JAMES R. WHELAN (UPI)

CARACAS, Venezuela (UPI) — The arrival Friday of 2,000 more troops in this tense, leftist-dominated city on the eve of President John F. Kennedy's visit made security precautions the most rigid ever taken here.

Approximately 35,000 Army and Navy men, police and secret service agents will protect the President and Mrs. Kennedy from threatened leftist demonstrations when they arrive Saturday.

Kennedy will be the first U.S. President to visit Venezuela.

The greatest security measures in this country's history brought an uneasy calm to one of the world's richest capitals. Trucks and buses rolled through the city packed with combat troops.

The reserves were brought up from Maracay, hub of Venezuela's military operations. Paratroopers flew in from there Thursday. The troop movement bolstered an already sizable combat-equipped military force garrisoned here.

Three years ago, then Vice President Richard M. Nixon and his wife were set upon by a rock-throwing, stick-wielding mob while in an official motorcade en route to a wreath-laying ceremony. The mob tried to drag the Nixons from their car and threw debris at them and spat upon them.

Rifle - bearing troops will be posted at 10-feet intervals over the route the Kennedys will take to Caracas from the airport. It includes the downtown site where the Nixons were subjected to physical attack.

Atlanta Ga

Caracas was quiet Friday after several "hit-run" fire bomb terrorist attacks Thursday night which the government attributed to "Communist commandos." At mid-day, a fire broke out in the main generator of the 30-story Centro Simon Bolivar Towers where a bomb exploded Wednesday in a basement trash barrel, injuring two.

Sat, 12-16-61

Friday's fire briefly disrupted the government-operated communication company's telephone and teletype circuits and stalled elevators in the building.

300,000 Cheer In Puerto Rico

The Atlanta Constitution

By MERRIMAN SMITH

SAN JUAN, P. R. (UPI)—President John F. Kennedy was cheered by an estimated 300,000 flag-waving Puerto Ricans Friday as he arrived in San Juan on the first lap of a good-will weekend visit to Latin America.

Sat. 12-16-61

Puerto Ricans massed shoulder-to-shoulder along the six-mile route from the international airport to the Fortaleza, the city's 400-year-old fortress, to cheer the President and First Lady.

6 p

Between 15,000 and 20,000 cheered Kennedy at the airport where he pledged that his "Alliance for Progress" program would raise living standards and encourage freedom everywhere in the Western Hemisphere.

The Atlanta, Ga

The tumultuous welcome reached a climax on Fortaleza Street in old San Juan and at the main entrance of Gov. Luis Munoz Marin's home, where the Kennedys were spending the night.

Tinsel arches linked buildings in old San Juan. People stood waving on balconies. Colored Christmas lights added to the warmth of the welcome.

Police had to slam closed the gates of the Fortaleza to keep the crowd from pouring into the patio. The clamor was so great that the Kennedys came out on balcony of the Fortaleza to welcome the huge throngs.

Constitution

Eight bands played along the Kennedy route from the airport into San Juan. Groups of school children, many of them in their school uniforms, flanked the road. Small American and Puerto Rican flags were waved everywhere.

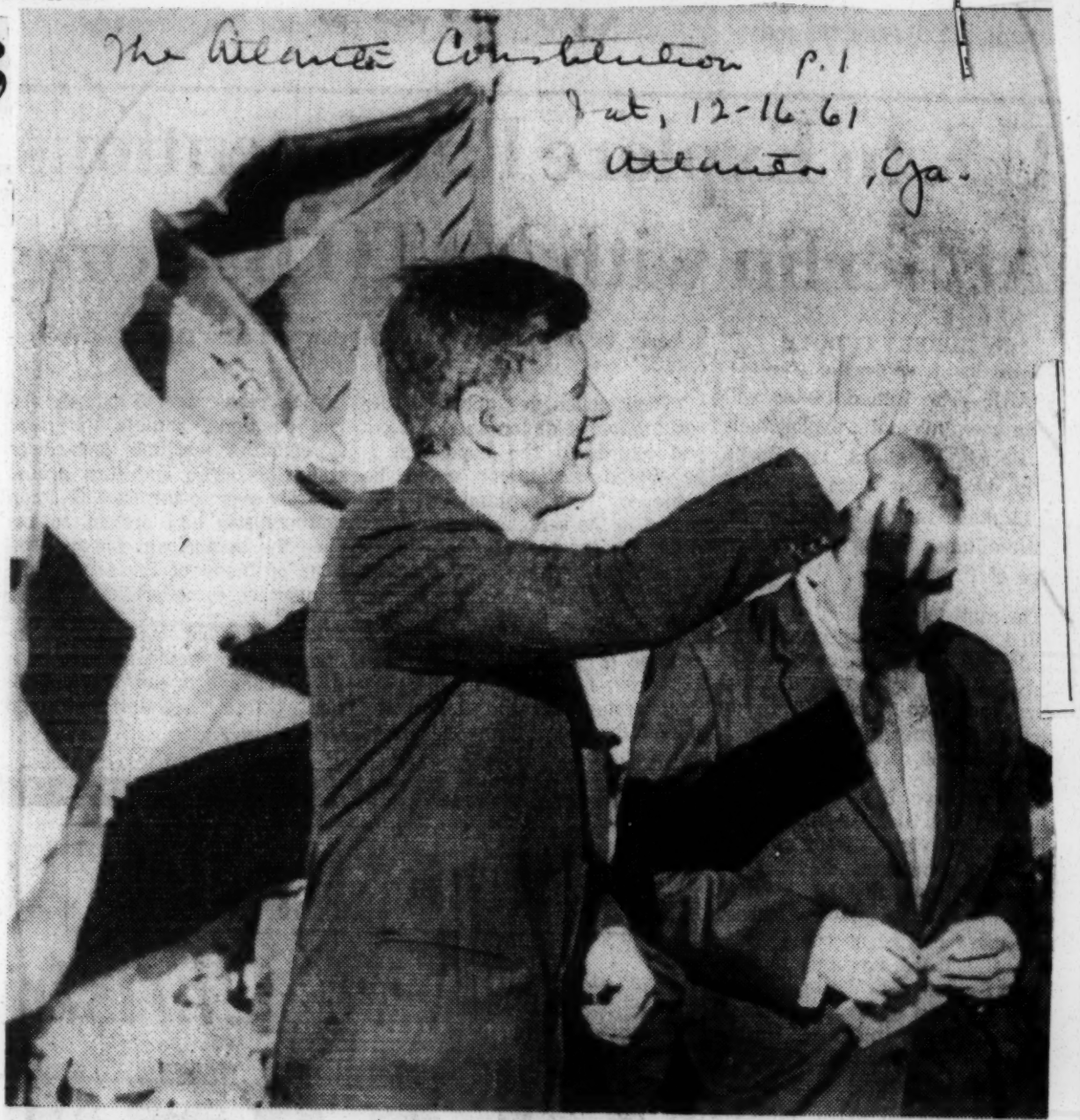
Sat. 12-16-61

So were a number of banners, some of them reading "Welcome, Uncle Kennedy." At one point, a number of Cuban exiles living in Puerto Rico massed with signs reading "Cuba is the rotten core in the barrel of the Americas;" "Ballots and bullets, the cure for Cuba;" "Mr. President, what are you waiting for? We have the men, give us the arms."

In San Juan on the first lap of a good-will weekend tour of Latin America, Kennedy told welcomers on his arrival from Washington that the alliance "is the great adventure of the Americas in our time."

The President and his wife traveling in a big U.S. Air Force jet transport landed in warm, sunny weather at 4:17 p.m. (3:17 p.m. EST). They will spend the night here and go on to Caracus, Venezuela Saturday and Bogota, Colombia, Sunday.

The Atlanta Constitution P. 1
Sat, 12-16-61
Atlanta, Ga.



Associated Press Wirephoto

WAVES TO CROWD AS PUERTO RICO HOST CHECKS NOTES FOR SPEECH

President John F. Kennedy and Gov. Luis Munoz Marin at Airport

Kennedy Welcome Chokes Violence

The Atlanta Journal and Constitution

VENEZUELANS HAIL JFK'S LATIN AIMS

The Atlanta Journal and Constitution

Jackie Captures Listeners With Speech in Spanish

By WILLIAM L. RYAN

CARACAS, Venezuela, Dec. 16 (AP)—Threats of leftist violence vanished amid "Viva Kennedy" cheers in Caracas Saturday as the U.S. President summoned the people of Venezuela to support the Alliance for Progress Program of Latin American development.

The warmth of his reception brought a happy smile to President Kennedy and seemed an omen of success in his mission, which spotlights U.S. determination to help this continent and stem the appeal of communism.

BANNERS of welcome and U.S. and Venezuelan flags flew above the most massive security precautions ever taken in Venezuela for a visiting chief executive.

With no sign of the incidents that had been feared, Kennedy drove 10 miles into the city, flew by helicopter to projects associated with the aims of the Alliance for Progress, and bespoke a new, old good neighbor policy for all the Americas.

Sidelights on the Kennedys in Venezuela are on Page 16.

In his main address of the day he solemnly warned Latin Americans against alien philosophies and repressive dictatorships that take away liberty with promises of economic progress.

The promises are soon forgotten, he said, adding:

"We have seen this in the grim, drab poverty of Eastern Europe, in the famines of China and here in our own hemisphere."

That was an apparent reference to Cuba. President Romulo Betancourt, in response, declared Venezuela is ranged in the Western camp by her own decision and will do her part to "impede the expansion of the Sino-Soviet bloc in Latin America."

THE 10-YEAR, $20 billion Alliance for Progress links U.S. aid with Latin American self-help and reform.

The President visited two housing and agrarian reform centers which are samples of the program in Venezuela.

At La Morita, where four farm families in a symbolic ceremony received titles to plots of land, the President spoke to thousands of cheering shirt-sleeved farmers.

Jacqueline Kennedy captivated the audience by speaking in Spanish.

Flashing a smile that could be understood in any language, Mrs. Kennedy said in perfect Spanish that there can be no happy fathers or mothers "until they have the possibility of jobs and also education for their children." This must be for all, not just the fortunate, she said.

Her little speech drew the biggest cheers of the day.

* * *

THE CROWDS which lined the streets and balconies of downtown Caracas on this warm, muggy day were not remarkable for size—possibly because of the threatening weather and the thousands of troops and police who enforced strict security precautions. But the welcome was enthusiastic.

In Caracas, on a similar goodwill mission in 1958, Vice President Richard M. Nixon's car was mobbed by an angry crowd.



The Atlanta Journal and Constitution P. 1 Dec 12-17-61

U.S. AND VENEZUELAN PRESIDENTS IN BULLET-PROOF LIMOUSINE
Kennedy and Betancourt Ride Into Caracas From Airport

34d 1961 DEMOCRATIC PRESIDENT KENNEDY LATIN AMERICA

Kennedy Going South To Brake Latin Skid

The Miami Herald p. 1 c
Thurs-12-14-61

By PETER LISAGOR
Miami Herald-Chicago Daily News Wire

WASHINGTON — "It's one minute to midnight in Latin America," says Jose Figueres, former liberal president of Costa Rica.


FIGUERES

"We don't have any time to lose," say American officials trying to frank up the administration's multi-billion - dollar Alliance for Progress, a chief hope for for averting chaos south of the border.

These two quotations sum up the main thrust of President Kennedy's whirlwind trip to Venezuela and Colombia, by way of Puerto Rico, this weekend.

The President hopes to use his trip to galvanize the whole southern hemisphere into making the reforms and sacrifices necessary to prevent Communist-fomented eruptions all over the lot.

Venezuela and Colombia have done more than any other Latin American states to help themselves. Self-help is a major qualification for U.S. aid under the Alliance for Progress program.

If the President's visit can serve as a good for similar actions elsewhere, U.S. authorities believe the inclination toward made-in-Moscow solutions by small, articulate, impatient bands of Latin Americans can be halted.

But time, they recognize, is running out. That is why the President has chosen to dramatize the self-help condition for aid by his quick visit to Caracas and Bogota, aware though he is that the vocal leftists may try to embarras him in both places.

In Venezuela, he will dedicate a rural housing project financed by U.S. funds and an agrarian reform site financed strictly by Venezuelan money. The latter will then adopt the name "Alianza," the Spanish word for alliance.

The President also plans to lay a wreath on the tomb of Simon Bolivar, the South American liberator, in the Pantheon in Caracas.

Nearly four years ago, the then vice president Richard M. Nixon on a visit to Caracas was scheduled to lay a wreath on Bolivar's tomb. Violent mobs that stoned and spat at him and threatened his life forced Nixon to cancel the event. Later disclosures indicated an attempt on Nixon's life was planned at the Pantheon.

The Venezuelan government has assured Washington that President Kennedy will be fully protected and that he will be greeted warmly by the Venezuelan people.

PRESIDENT BEGINS LATIN TRIP TODAY

N.Y. Times Fri 12-15-61
New York, N.Y.

Will Press Progress Plan—Caracas Reported Tense

By TAD SZULC
Special to The New York Times.

WASHINGTON, Dec. 14 — President and Mrs. Kennedy will leave at noon tomorrow on a two-day visit to Venezuela and Colombia on behalf of the Alliance for Progress.

The Alliance, through which the United States expects to help Latin America to develop economically and socially, is the Administration's answer to revolutionary movements in Latin America stimulated by Cuba.

Mr. Kennedy consider the recently begun cooperative development program to be of such importance that he has decided to undertake the trip despite preparations for hostile demonstrations by anti-American extremists in Venezuela.

Reports reaching the Administration described the situation in Caracas as tense, but officials here felt that extraordinary security measures in the Venezuelan capital would afford the necessary protection for the President and his party.

Late today, the President was briefed at length on the details of the trip by State Department officials, but the emphasis was said to have been on the general problems of Venezuela and Colombia rather than on the security situation.

Cuban radio broadcasts have been urging Venezuelans and Colombians to show their hostility to President Kennedy.

The President will arrive in after a sixteen-hour overnight stop in San Juan, Puerto Rico. He will be the guest of Gov. Luis Muñoz Marín, who has been one of his many advisers on Latin-American policies.

Special Security Measures

Special security measures will also be in effect in San Juan where small groups of Leftists and members of the tiny independence movement plan to picket the President.

In Venezuela, where the Presidential party will spend a day and a night before flying Sunday to Bogotá, Colombia, on the last leg of the 6,080-mile air trip, Mr. Kennedy will visit two areas about sixty miles from Caracas. He will then return to the capital for conferences with President Romulo Betancourt.

The Venezuelan Government has mobilized 30,000 troops, including sailors and paratroopers in a show of force that President Betancourt also regards as a test of his own strength against the extreme Left-wing and extreme Right-wing opposition.

After inaugurating a land reform project at La Morita, where he will deliver the main speech of the visit, President Kennedy will fly by helicopter to near-by Maracay on Lake Valencia for lunch with President Betancourt.

Side Trip Canceled

The White House said that the tight schedule had forced the President to cancel his scheduled appearance at the inauguration of a rural housing project at Boqueron, near La Morita.

After lunch, the President will fly by helicopter to Caracas where he will meet the staff of the United States Embassy. He will then drive to President Betancourt's residence at Los Nuñez where he will attend a dinner, a reception and spend the night.

Sunday morning, Mr. Kennedy will join President Betaincourt at Miraflores Palace to sign a $10.000.000 loan agreement that will be used to start a system of savings and loan associations designed to finance low-cost housing. The loan was authorized last summer.

About $150,000,000 in loans to Venezuela have been approved this year by the United States or are in the process of being reviewed.

Tonight, the International Bank for Reconstruction and Development announced that it had granted its first loan to Venezuela. The $45.000,000 loan will finance the building of two express highways. The Inter-American Development Bank announced two loans, totaling $20,000,000, to help finance water supply systems in 385 Venezuelan towns and cities.

Venezuela is one of the most active Latin-American countries in developing social and economic improvement projects in line with the concepts of the Alliance for Progress, which call for self-help programs to be matched by United States and international assistance.

Colombia, where President Kennedy will spend Sunday, is also pushing such development projects.

In addition to President and Mrs. Kennedy, the party will include Chester Bowles, special Presidential representative and adviser; Robert F. Woodward, Assistant Secretary of State for Inter-American Affairs; Teodor Moscoso, administrator of the Alliance for Progress; Harold F. Linder, president of the Export-Import Bank, and Richard N. Goodwin, Deputy Assistant Secretary of State for Inter-American Affairs.

Leaving Bogotá at 11:40 P. M. Sunday, the President will fly to Puerto Rico, where the plane will be refueled, then proceed to West Palm Beach to drop off Mrs. Kennedy. He will arrive here at 8:30 A. M. Monday.

Venezuelans Plan Welcome

Special to The New York Times.

CARACAS, Venezuela, Dec. 14—Venezuelans prepared today to welcome President Kennedy Saturday, but a nucleus of agitators is trying to spread fear and alarm.

Four men armed with pistols and machine guns attempted today to take over a principal radio station of the capital, Radio Caracas. One of the men was dressed as a soldier.

The four overpowered attendants at the radio station's power plant and transmited an anti-Kennedy manifesto, which was heard faintly for about two minutes. The men then fled.

Civic groups, business groups and organizations of women have placed advertisements in papers welcoming the President and his wife. The newspapers have published many articles and photographs on the couple.

Most of the editorials and signed articles have been favorable, but a few writers have critized the scheduled visit.

Two political parties, whose members make up 60 per cent of the voting population have asked their members to join in the welcome.

Nevertheless, extremists have continued a campaign mainly designed to spread fear among the populace. Last night three unexploded bombs were found in different parts of the city. A fourth bomb exploded in an underground parking lot, injuring two persons.

Leaflets attacking President Kennedy were distributed today by youths.

Consul Acts to Allay Fears

Venezuela acted here yesterday to allay any fears the American public might have concerning President Kennedy's safety when he visits Caracas tomorrow.

Consul General Oscar Niemtschik, at a news conference in his office, 600 Fifth Avenue, promised that there would be no repetition of the events in May, 1959, when a mob attacked the car of Vice President Richard M. Nixon.

"It is obvious that the President's visit has caused a good deal of apprehension," Señor Niemtschik said. "My Government has instructed me to state most emphatically that strict measures have been taken to curb those few who could be pinpointed as trouble makers.

In reply to questions, Señor Niemtschik said that "all known agitators have been picked up."



Associated Press Radiophoto

PROTEST PRESIDENT'S VISIT: Two girls in Caracas demonstrate against President Kennedy's scheduled visit to Venezuela. President is due to arrive Saturday.

34d 1961

DEMOCRATIC

PRESIDENT KENNEDY
CONGO (AFRICA)

Kennedy Moves To End Fighting And Unify Congo

8-2A

The New York Times Service

WASHINGTON — President Kennedy was making a personal effort Thursday night to end the conflict in Katanga and to bring the Congolese leaders together to establish a unified Congo.

With the cooperation of Britain and other Western European allies, the President was working on a plan to get Premier Cyrille Adoula of the Central Congo government and President Moise Tshombe of secessionist Katanga Province to work out an acceptable form of confederation.

The U.S. government was also working with U Thant, United Nations acting secretary general, to forestall further actions by the U.N. forces in Katanga that would jeopardize the chances for peace and reconciliation.

The President received a message Thursday from Tshombe, asking him to intervene to halt the fighting between Katangese troops and U.N. forces.

Pierre Salinger, White House secretary, said the President had called Adlai E. Stevenson, U.S. ambassador at the U.N., after receiving the message, and that Stevenson had got in touch with U Thant.

Somewhat later, the President sent a message to Premier Adoula through Ambassador Edmund A. Gullion in Leopoldville. The President then prepared a reply to Tshombe. The White House said the message to Tshombe would be made public today.

Kennedy also designated Gullion to act as his personal representative in efforts to negotiate a settlement.

These developments took place in the wake of mounting criticism, particularly from conservative groups, of the U.N. operation in Katanga and U.S. support of it.

It was understood that Tshombe called for U.S. "intervention" in the Congo in the French sense of the word, meaning "mediation."

High U.S. officials have said that if Tshombe wanted to talk with Adoula on reunification of the country, this would be grounds for a ceasefire acceptable to the United States.

Adoula himself already has agreed to talk unification.

It was possible that if a firm agreement for Tshombe-Adoula talks was reached, there might be at least a 48 hour ceasefire, to be renewed unless the negotiations broke down.

U.S. officials reported that its recent buildup has now put the U.N. military force in a "fairly secure" position in Katanga.

In the Congo, meanwhile, the U.N. air force bombed and strafed a Katanga military concentration on the southern outskirts of Elisabethville Thursday.

Indian Canberra bombers and Swedish jet fighters teamed up for the attack on a mass of Katanga soldiers and vehicles in the Kenya Township area — reputed headquarters of Gen. Norbert Moke, the commander in chief — after a night of heavy action in which the Katangans claimed victories aground.

34d 1961 DEMOCRATIC DEC

Wrighten Says Negroes Are Loyal To Democrats

The News + Courier P. 10-B
Charleston, S.C.
Apr. 4-29-61

Gov. Ernest F. Hollings' denial of racial discrimination at a state Democratic Party fund - raising dinner Wednesday is "in error," a leader of the state's Negro Democratic Party said here yesterday.

"I ask my governor to please be truthful about this matter," said Charleston lawyer John H. Wrighten, who is executive secretary of the Progressive Democrats of South Carolina.

President Kennedy has ordered an inquiry into the dinner, at which Secretary of Commerce Luther M. Hodges addressed more than 700 members of the State Democratic Party. Ticket applications from 14 Negro Democrats were refused, but the governor defended the action on the grounds that the Negro applicants were not members of the state party.

The Negro applicants "were barred on the basis that they were not members and not on the basis of color," Gov. Hollings said.

Retorted Wrighten in his statement yesterday: "It is an utter shame and disgrace for any intelligent person to say, at this late date, that Negroes are not members of the Democratic Party."

He continued "the only reason the Negroes were not permitted to attend the dinner was because of color, which in my mind is so trivial in times like these."

Secretary Hodges has denied knowledeg of rejection of the Negroes' applications.

"The question of whether I was attending a segregated or non-segregated meeting never arose," he said.

The secretary, who was confronted with the segregation problem when he was governor of North Carolina, added that he "would not knowingly attend a public meeting that was deliberately or arbitrarily segregated."

Wrighten said that Negroes have kept South Carolina in the Democratic column for the past three years.

"I am sure," the lawyer said, "that this is known by all of the officials of the Democratic Party of South Carolina. If we, the Negroes of South Carolina, are not loyal Democrats, please tell me who is."

Denying also that the Progressive Democrats failed to endorse Mr. Kennedy for President, Wrighten said, "How untrue the statement is."

He said at the Progressive Democratic meeting at Columbia on Oct. 6 last year, party leaders "arranged meetings throughout South Carolina and brought prominent speakers to address the Negro groups in behalf of Kennedy and Johnson."

Except for the efforts of the Progressive Democrats, Wrighten said, "South Carolina would have gone in the Republican column."

One of the Negroes who failed in his attempt to attend the dinner, J. M. Hinton of Columbia, has written a letter of complaint to Secretary Hodges, accusing him of doing "the Negro citizens of South Carolina a great disservice by coming to Columbia.

Hinton called Gov. Hollings' explanation of the denial "pure junk."

JONES MAKES BID FOR LEHMAN'S AID

The New York
Outcome of 90-Minute Plea for Leadership Uncertain
J. Mon. P. C 35

By DOUGLAS DALES

J. Raymond Jones, a Harlem district leader, presented his credentials for the leadership of the New York County Democratic organization yesterday to former Senator Herbert H. Lehman.

Mon. 12-11-61

After a ninety-minute meeting at Mr. Lehman's home, 820 Park Avenue, there was no indication that Mr. Jones had been able to budge Mr. Lehman rrom his position that the new county leader should be a representative of the reform wing of the party.

New York

The leadership has been vacant since the Sept. 7 primary when Carmine G. De Sapio, leader of Tammany Hall since 1949, failed to win re-election as a district leader in Greenwich Village. Party rules require the county leader to be chosen from among the s ixty-six district leaders.

Lehman Defers to Wagner

"There is nothing I can say or want to say," Mr. Lehman replied to a question about the meeting. "We had a very nice and amiable talk. The final decision rests exclusively with the Mayor."

Mayor Wagner, on vacation in Puerto Rico, is not expected back until late this week. Although the county leader is elected by the district leaders, the choice is certain to be in accord with the Mayor's preference.

Mr. Wagner has obligations both to the reform faction, which backed him in his primary fight for renomination, and to Mr. Jones, who, although not affiliated with the reformers, served in the Wagner primary and election campaigns as coordinator of borough operations.

The reform group, which Mr. Lehman helped to found in 1959 to end "boss" rule in the party, has endorsed John T. Harrington, district leader in Yorkville, for county leader.

Mr. Jones reportedly told Mr. Lehman that he had been fighting Mr. De Sapio, who became chief target of the reformers, long before the reform movement was founded.

First Break With De Sapio

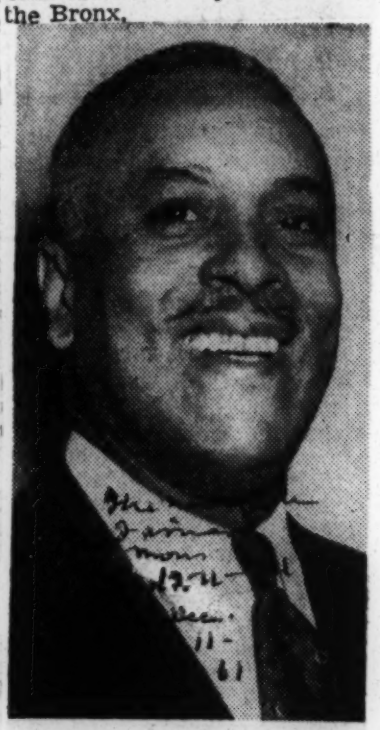
His first break with De Sapio came in 1952 when he resigned as a district leader in a dispute over a nomination for the Assembly. When he returned to politics in 1958, it was as the campaign manager for Representative Adam Clayton Powell Jr., whose renomination was being opposed by Mr. De Sapio.

Mr. Jones also reportedly reminded Mr. Lehman that he had been the sponsor of Edward R. Dudley for Manhattan Borough President last January in opposition to Mr. De Sapio's candidate, Lloyd E. Dickens. After Mr. Dudley's election to the Borough Presidency by the Manhattan City Councilmen, the Mayor demanded Mr. De Sapio's removal as county leader.

Mr. Jones was said to have noted that he had announced his support for Mayor Wagner's renomination last summer, when the eform wing was still weighing the advisability of opposing him in the primary.

Meanwhile, Fire Commissioner Edward F. Cavanagh Jr., who was the Mayor's primary and election campaign manager and who will become Deputy Mayor Jan. 1, said the replacement of Joseph T. Sharkey, Brooklyn Democratic leader, was "only a matter of time."

Interviewed on the WCBS radio program, "Let's Find Out," he suggested that the Mayor's patronage powers would be persuasive in effecting the ouster of Representative Charles A. Buckley as leader of the Bronx.



The New York Times

SEEKS PARTY POST: J. Raymond Jones, Harlem district leader, who discussed his candidacy for the leadership of the New York County Democratic organization with former Gov. Herbert H. Lehman.

Kennedy Gets Compromise On Barring Bias in Housing

By PETER BRAESTRUP
(Copyright 1961 by the New York Times Co.)

WASHINGTON—A final compromise executive order barring discrimination in federally-aided housing has been submitted to President Kennedy for his signature.

Informed officials said Sunday the order was hammered out two weeks ago by an administration working group. Spokesmen for civil rights organizations have recently expressed concern that the President has not signed it, despite earlier pledges to do so.

White House discussions have covered the touchy political problems involved, chiefly the conflicting pressures from segregation-minded Southern congressmen and the administration's sizeable Negro constitutencies in the cities of the North.

MIDDLE ROAD

The draft order takes a broad middle course. It would bar bias in public housing, housing for the elderly, urban renewal, and homes financed by federally-insured loans. It would also cover loans financed by federally-supervised mortgage lending institutions, with the major exception of conventional (non-government) loans handled by commercial banks regulated by the Federal Deposit Insurance Corporation.

In its suggested order Sept. 27, the bipartisan National Commission Against Discrimination in Housing, a private group, left open the question of coverage of all federally supervised lending institutions.

BROAD ORDER URGED

On Oct. 6, the Federal Civil Rights Commission, supported by the National Association for the Advancement of Colored People, proposed to the President an across-the-board order embracing all federally supervised mortgage lending institutions, including the commercial banks.

The administration compromise was worked out after a month-long series of meeting which included: Harris Wofford, special White House assistant on civil rights matters, Assistant Attorney General Burke Marshall, Dr. Robert C. Weaver, head of the Housing and Home Finance Agency, Neil J. Hardy, director of the Civil Rights Commission.

Negro Dance Is Attended By Kennedy

BEVERLY HILLS, Calif., Nov. 19 (AP)—President Kennedy dropped in unexpectedly on a cotillion for daughters of prominent Negro families last night.

Accompanied by California's Gov. Edmund G. Brown, the President visited the dance and presentation in the grand ballroom of the plush Beverly Hilton Hotel after returning from his speech at a Democratic dinner.

Negro entertainer Nat (King) Cole, who had sung at the Democratic rally, escorted Kennedy and Brown to the ballroom where some 500 guests had gathered.

After a burst of applause, Kennedy said he was "very grateful to you for permitting an itinerant President to come and visit your party."

1949 Speech Tossed Back At Kennedy

WASHINGTON, (UPI) — Rep. Donald C. Bruce, R-Ind., said Thursday President John F. Kennedy is guilty of making the same kind of charge as "extremists" the President now criticizes for saying China was sold out to the Communists by American officials.

Bruce said Kennedy made the charge in Salem, Mass., while he was a House member in 1949, about 10 months before the Nationalist Chinese government fled to Formosa.

QUOTES KENNEDY

Bruce included in a statement the text of the Kennedy speech as published in the Congressional Record. It said:

"Our policy in China has reaped the whirlwind. The continued insistence that aid would not be forthcoming unless a coalition government with the Communists was formed was a crippling blow to the national government. So concerned were our diplomats and their advisers, the Lattimores and the Fairbanks, with the imperfections of the diplomatic system in China after 20 years of war, and the tales of corruption in high places, that they lost sight of our tremendous stake in a non-Communist China.

"This is the tragic story of China whose freedom we once fought to preserve. What our young men had saved, our diplomats and our President have frittered away."

RAPS SPEECH

Kennedy was further quoted:

"At the Yalta Conference in 1945 a sick (President) Roosevelt, with the advice of Gen. (George C.) Marshall and other chiefs of staff, gave the Kurile Islands as well as the control of various strategic Chinese ports, such as Port Arthur and Darien, to the Soviet Union."

Birch Aide Rips Back At Kennedy

RICHMOND, Va. (AP) — T. Coleman Andrews agreed with President John F. Kennedy Friday that the far right wing—"and I count myself of that persuasion"—is both afraid and frustrated.

Andrews, former director of the Internal Revenue Service and 1956 States Rights-Tax Reform candidate for president, said he also agreed with Kennedy's statement that "we of the solid right equate the Democratic party with the welfare state and the welfare state with socialism and socialism with communism."

Andrews is a leading figure in the controversial John Birch Society and introduced its founder, Robert Welch, at a Richmond appearance earlier this month.

ISSUES STATEMENT

In a statement released through a Virginia publicity service, Andrews said he was afraid "for I see our nation being engulfed by the Socialists and I see the President of the United States aiding in this eclipse of our personal liberty. I have been frustrated because I have been able to do nothing—or too little—about it. Those to whom I would normally turn, those whose sworn duty is to uphold the Constitution of the United States, are abetting our downfall."

As for the national Democratic party, said Andrews, who now heads a large insurance firm here, it "has fostered in our land the idea that government should assure our personal rights and responsibilities. And this is textbook welfare statism, and welfare statism is socialism, and the Communists, by self-proclamation, are Socialists.

SAYS HE'S GAINING

"The President is right in his accusation. We do charge the party which he heads is leading us into socialism. His people are working with every tool at their command to make of us something we would vote down in a minute, item by item—if we had the opportunity."

Andrews said the conservative right is winning, however, "and that is why the President took time out to lambast us. You don't shoot at dead horses."



PRESIDENT 'CRASHES' PARTY—A young Negro girl bows low as she is introduced to President Kennedy by singer Nat (King) Cole at a cotillion for daughters of prominent Negro families in Beverly Hills, Calif. The President dropped in unexpectedly at the dance and presentation on the way to his rooms in the Beverly Hilton hotel after addressing a Democratic fund-raising rally in Los Angeles. He told the cotillion guests he was "very grateful to you for permitting in itinerant President to come and visit your party."—Daily News-AP Wirephoto.

34d 1961

DEMOCRATIC PRESIDENT KENNEDY

Both Parties Hail Remarks By President

WASHINGTON (AP)—President Kennedy's address before the United Nations won overwhelming bipartisan praise in Congress Monday—particularly his no-backdown stand on Berlin and his disarmament plans.

But there were notes of caution that the final decision on easing world tensions lies with other nations, particularly the Soviet Union.

And Senate Democratic Leader Mike Mansfield of Montana both applauded the speech and proposed either Mexican President Alfonso Lopez Mateos or Indian Prime Minister Nehru be considered for the U. N. post of secretary-general.

He acknowledged he did not know whether either would be willing to accept but doubted the Soviet Union, now pushing hard for its "troika" scheme of three secretaries-general, would fight either one.

Sen. Everett M. Dirksen, R-Ill., Senate minority leader, called Kennedy's proposals a "magnificent hope" of settling world problems.

"I was glad to note the firmness with which he dealt with the Berlin situation. I think he disposed of the troika question with his observation that there may be three horses but only one driver," dirksen added.

But Dirksen noted the West is still confronted with the reality of the still undisclosed Russian reaction to the proposals. Mansfield hit the same theme, emphasizing "What happens rests not with us but with the rest of the countries of the world, especially the Soviet Union."

"I agree wholeheartedly with what the President had to say on the principle of troika," Mansfield stated. He praised the President's presentation of dangers in Laos, South Viet Nam and other trouble spots as well as at Berlin. He expressed hope the address would ease world tensions.

Sen. Hubert H. Humphrey, D-Minn., assistant Senate majority leader, called Kennedy's address "the most remarkable and moving message of any political leader in the history of our country." He said the United States is proposing "a comprehensive program for general and complete disarmament which provides a way for balanced reduction in all kinds of armaments by all nations" and is completely flexible.

Sen. Hugh Scott, R-Pa., said Kennedy had "challenged the conscience of mankind," including the dictators and neutralists. "The United Nations can be saved as a useful instrument for peace if the leaders of uncertain nations will face the alternatives posed by the President and act with maturity and wisdom," he said.

Rep. John W. McCormack, D-Mass., House majority leader, called Kennedy's remarks statesmanlike and realistic. But of disarmament he said, "This has got to be accomplished step by step, level by level. Mr. Khrushchev must realize the people of Russia want to exist like everyone else."

Kennedy Pledges The U. S. Will "Fight Again" If Necessary To Maintain Frontiers Of Freedom

President Leads Nation In Honoring Dead Of 3 Wars

By RAYMOND LAHR For UPI

WASHINGTON — (UPI) — Standing bareheaded before the graves of unknown Americans who died in three great WARS, President Kennedy pledged Saturday that the United States would fight again if necessary to maintain "the frontiers of freedom."

But he used the emotional occasion of Veterans Day ceremonies to hope their number will decrease, not because all shall have perished but because all shall have learned to live together in peace.

Kennedy was born in 1917, the year America went to battle in World War I.

Saturday, 43 years from the day the great war ground to a halt, he stood in Arlington National Cemetery and said:

"In a world tormented by tension and the possibilities of conflict, we meet in a quiet commemoration of an historic day of peace.

'JOIN TOGETHER'

"In an age that threatens the survival of freedom, we join together to honor those who made our freedom possible."

In front of where the President spoke were the graves of the unknowns, from the First and Second World Wars and Korean War.

Kennedy said it is a tragic fact that the hopes surrounding the end of the first world war have not been fulfilled.

He added that "some might say, therefore, that this day has lost its meaning, that the shadow of the new and deadly weapons have robbed this day of its great value that whatever name we now give, this day, whatever flags we fly or prayers we utter, it is too late to honor those who died before, and too soon to promise the living an end to organized death."

But, he declared, Nov. 11, 1918, also signaled the beginning of man's great effort in recent times to solve the problems of war by international cooperation.

"That experiment continues in our present day — still imperfect, still short of its responsibilities, but it does offer a hope that some day nations can live in harmony."

HEART OF SPEECH

Then, in the heart of his speech, he said "there is no way to maintain the frontiers of freedom without cost and commitment and risk. There is no swift and easy path to peace in our generation. No man who witnesed the tragedies of the last war, no man who can imagine the unimaginable possibilities of the next war, can advocate war out of irritability or frustration or impatience."

But, he said, "let no nation confuse our perseverance and patience with fear of war or unwillingness to meet our responsibilities. We cannot save ourselves by abandoning those who are associated with us, or rejecting our responsibilities.

"In the end, the only way to maintain the peace is to be prepared in the final extreme fight for our country and to mean it."

As a nation, he declared, "we have little capacity for deception. We can convince friend and foe alike that we are in earnest about the defense of freedom only if we are in earnest — and I can assure the world that we are."

Kennedy was the first President to visit Arlington Cemetery on Nov. 11 since Armistice Day was renamed Veterans Day by congressional act in 1954.

Johnson Takes Bashir to Texas

Camel Cart Driver To See State Fair

JOHNSON CITY, Tex., Oct. 16 (AP).—Vice President Johnson plans today to give a 44-year-old Pakistan camel cart driver the same gilt-edge treatment that has charmed heads of nations.

Bashir Ahmad and the Vice President arrived at the Johnson ranch in Central Texas last night. London fog and the grounding of American civil flights in Operation Sky Shield combined to cause a delay of almost 12 hours.

"Two of my prayers have been answered," Bashir told Mrs. Johnson, who met him and the Vice President at the air strip back of the LBJ Ranch house. "One prayer was that your family was in good health and the other was that I would come to America."

The camel driver then was whisked to the ranch house in a jeep flying the Pakistan flag.

No Camels in Texas

"Ranchers and cattlemen here do not use camels but we are familiar with the problems that face your country," Mr. Johnson told Bashir. "When you return I hope you will feel much closer to the American people."

The Vice President planned to take Bashir on a tour similar to sightseeing trips given President Kennedy, German Chancellor Konrad Adenauer, Pakistan President Ayub Kahn, and Mexico's President Adolfo Lopez Mateos. Bashir's trip originally was scheduled July 4 but was delayed until after the visit oft he Pakistan President.

Today's schedule called for a visit tot he Pedernales Electric Co-operative in Johnson City and a noon barbecue attended by some of the Johnson neighbors.

Tomorrow Mr. Johnson will take his guest on a tour of an entertainment center near Dallas, and then to the State fair in Dallas where Bashir will be honored at a ceremony in front of the Hall of State. They will go to Washington by plane late tomorrow.



Bashir Ahmad, the Pakistani camel cart driver, beams broadly as Vice President Lyndon Johnson greets his guest at New York's Idlewild Airport.—AP Wirephoto.

Greeted in New York

The Vice President first greeted the camel driver when Bashir arrived in New York yesterday aboard a jet airliner from London.

The camel driver, sporting a flowing black moustache, wore a light tan wool hat, a tan fur coat over white garments and new, moccasin-type shoes as he alighted from the jetliner in New York.

The two men from different countries and opposite stations in life greeted each other with genuine friendliness. Mr. Johnson apoligized for New York's chilly temperature. Bashir responded by saying it was not cold, using an Oriental idiom, "It is the warmth of people's hearts."

Mr. Johnson — to whom Bashir refers as "the deputy king" — first met the camel driver while the Vice President was touring Pakistan last spring. As he shook hands with Bashir, Mr. Johnson said, "Come over and see me."

Camel Driver Enjoys Canter with Johnson

JOHNSON CITY, Tex., Oct. 16—Bashir Ahmad, who drives a camel cart in Karachi, Pakistan, climbed into a Western saddle on a beautiful palomino named Silver at Vice President Lyndon Johnson's ranch today.

"This is just like sitting on a davenport," said the 48-year-old Bashir. "You don't feel the horse at all. You just feel leather."

Bashir sat erect in the saddle. His ankles dangled a foot above the stirrups.

His interpreter, Sahib Khan of Pakistan, explained that Bashir had ridden horses before but always without a saddle or bridle.

Johnson, who helped boost Bashir into the saddle, asked if he would like to trade his camel for a horse.

"That is a fair trade," Bashir replied, still grinning.

Johnson then mounted another horse and the two rode briefly along the banks of the Pedernales River looking at irrigated pasture lands and some of the purebred bulls on the vice president's LBJ Ranch, 65 miles west of Austin.

Occasionally Bashir's mount broke into a slow trot and the camel cart driver would hang on to the saddle horn and grin widely.

Johnson met Bashir during a visit to Karachi earlier this year. Johnson singled him out of a crowd to shake hands and casually invited Bashir to visit the United States. American businessmen made the trip possible under the people-to-people program.

Today Johnson gave his guest an alarm wrist watch, then hurried him to a television set which was showing pictures of the camel driver's arrival in New York.

"How can it be here when we were there?" Bashir asked.



—AP Wirephoto

Ahmad Goes for Horseback Ride at LBJ Ranch

After the horseback ride, Johnson pointed out the modest house where he was born and made an unscheduled stop at the Johnson City school where Johnson received his high school diploma.

Students swarmed around Johnson and Bashir. The camel driver told the crowd: "I have a little advice for you. When I was young, I did not have an opportunity to go to school. You have an opportunity to go to school. You have the opportunity. Please make the most of it so you can make this a better world."

Camel Driver in London, Greeted by Diplomats

A 16 The Sunday Star

Dunn 10-15-61

LONDON, Oct. 14 (AP).—A gray haired camel driver with a flowing black moustache stepped hesitantly from a giant jet airliner at London Airport today. With great dignity he shook hands and said goodby to the stewardess.

Bashir Ahmad was wearing his fur cap, a long, high-buttoned coat, flowing baggy trousers and an unaccustomed pair of shoes. For he was on his way from Pakistan to visit America as guest of Vice Presilent Johnson.

Last May he was just a face in a crowd of thousands greeting Mr. Johnson on his arrival for a visit to Karachi. Shaking hands with people at random, the Vice President shouted to Bashir: "Come over and see me in America."

Bashir yelled "I will," smiled and thought no more about it. But local newspapers picked up the story, diplomatic machinery, mutual assistance and people-to-people programs went into action. An airline paid his round-trip fare.

A representative of the United States Embassy in London, who met the Pakistani at the airport, said: "We haven't worked out the full details of Bashir's visit but he will have a good tour around and stay for two weeks. He will be the guest of Mr. Johnson at his cattle ranch in Texas."

When working at home Bashir wears a shirt, a turban, 2½ yards of cloth covering his waist and legs, and no shoes.

For his visit to America the 44-year-old Pakistani put on the more formal national fur cap (jinnah), the long coat (sherwani) and the baggy trousers (shilwar).

He was given plush treatment at the airport and was driven in a black limousine to a chrome-and-glass hotel.

The overnight stop was made necessary by the American "sky shield" exercise grounding civil flights.

Representatives of the United States Embassy, the Pakistan high commissioner in London and the airline met him at the airport.

Texts on President's Pact on Incapacity

Special to The New York Times.

WASHINGTON, Aug. 10—Following are the texts of a White House announcement today on an agreement between the President and Vice President on steps to be taken in the event of a Presidential incapacity and the Attorney General's conclusion in an opinion holding the agreement valid:

White House Statement

The President and the Vice President have agreed to adhere to procedures identical to those which former President Eisenhower and Vice President Nixon adopted with regard to any questions of Presidential inability. Those procedures are as follows:

(1) In the event of inability the President would—if possible—so inform the Vice President, and the Vice President would serve as acting President, exercising the powers and duties of the office until the inability had ended.

(2) In the event of an inability which would prevent the President from so communicating with the Vice President, the Vice President, after such consultation as seems to him appropriate under the circumstances, would decide upon the devolution of the powers and duties of the office and would serve as acting President until the inability had ended.

(3) The President, in either event, would determine when the inability had ended and at that time would resume the full exercise of the powers and duties of the office.

Constitution Interpreted

After consultation with the Attorney General, it is the understanding of the President and the Vice President that these procedures reflect the correct interpretation to be given to Article II, Section 1, Clause 5 of the Constitution. This was also the view of the prior Administration and is supported by the great majority of constitutional scholars.

The relevant constitutional provision is:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may be law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected."

Under this provision, upon a proper determination of Presidential inability, the Vice President succeeds temporarily to the powers and duties of the Presidency until such time as the President is enabled to act again. Unlike the case of removal, death, or resignation, the Vice President does not permanently become president.

Under the arrangement quoted above, the Vice President agrees to serve as acting President "after such consultation as seems to him appropriate under the circumstances." There is no provision of the Constitution or of law prescribing any procedure of consultation, but the President and Vice President felt, as a matter of wisdom and sound judgment, that the Vice President would wish to have the support of the Cabinet as to the necessity and desirability of discharging the powers and duties of the Presidency as acting President as well as legal advice from the Attorney General and the circumstances would, under the Constitution, justify his doing so. The understanding between the President and the Vice President authorizes the Vice President to consult with these officials with a free mind that this is what the President intended in the event of a crisis.

Prior to the Eisenhower-Nixon arrangement, there were no similar understandings of a public nature. For this reason, prior Vice Presidents have hesitated to take any initiative during the period when the President was disabled. Obviously, this is a risk which cannot be taken in these times, and it is for that reason that President Kennedy and Vice President Johnson have agreed to follow the precedent established by the past Administration.

Attorney General's Opinion

In my judgment, there is no question that the Vice President acts as President in the event of the President's inability to and acts in that capacity "until the disability be removed." I do not believe that the practice which has grown up to the effect that the Vice President "becomes President" in the event of death of the President creates any substantial doubt."

I believe also that there is no substantial question that it is the Vice President, if the President is unable to do so, who determines the President's inability and that it is the President who asserts when the inability has ceased. Thees conclusions are supported by the great majority of reputable scholars who have examined the problem, as well as by my predecessors.

In this connection, it is important to note the development of the Vice-Presidency in recent years, and the important changes in that office which have come about, particularly in the past two decades. During this time the Vice-Presidency has moved substantially from its anomalous status under the Constitution in both the Executive and legislative branches toward the former. Recent Vice Presidents have been given significant Executive responsibility and an important voice in the highest affairs of state. The working relationship between the President and Vice President has become increasingly close, and during the past Administration as well as the present one the President has been concerned to keep the Vice President current and informed with regard to Presidential policies.

Continuation Expected

While one cannot predict with certainty that this trend will continue in future administrations, I regard it as altogether likely because, in an age marked by crisis, this course seems to be dictated by the necessities of our time. It is significant with regard to the problems discussed in this opinion because, in my judgment, it greatly reduces the possibility of an impasse between the President and Vice President, and thoughts in the public mind that the Vice President should be regarded as a potential usurper of office. It also is relevant because it greatly increases the practical capacity of the Vice President to act as President in the event of Presidential inability, whatever the cause.

I am of the opinion that the understanding between the President and the Vice President which I have approved above is clearly conjstitutional and as close to spelling out a practical solution to the problem as is possible.

PRESIDENT KENNEDY

Kennedy Provides That Johnson Will Act if He Is Incapacitated

By JOSEPH A. LOFTUS

Special to The New York Times.

WASHINGTON, Aug. 10 — President Kennedy disclosed today that he had made an agreement that Vice Presient Johnson would exercise the

Agreement and legal opinion will be found on Page 7.

rights and duties of the President in the event of any period of Presidential incapacity.

The agreement follows the example set by President Eisenhower and Vice President Nixon in 1958. Their agreement was a product of concern generated by General Eisenhower's several illnesses.

President Kennedy made his disclosure in response to a question at his news conference today. [Question 4, Page 6].

Agreed Before Inauguration

Pierre Salinger, the President's press secretary, said later that Mr. Kennedy and Mr. Johnson had reached their agreement, similar to the Eisenhower-Nixon accord, prior to Inauguration Day last Jan. 20.

The agreement was subjected to a full study of constitutional questions by the Attorney General. No specific event or ailment led to the agreement, Mr. Salinger said.

A forty-three-page opinion by Attorney General Robert F. Kennedy, also released today, endorsed the agreement.

The procedures, identical in language to those of the Eisenhower-Nixon agreement, are as follows:

"(1) In the event of inability the President would—if possible—so inform the Vice President, and the Vice President would serve as acting President, exercising the powers and duties of the office until the inability had ended.

"(2) In the event of an inability which would prevent the President from so communicating with the Vice President, the Vice President, after such consultation as seems to him appropriate under the circumstances, would decide upon the devolution of the powers and duties of the officea nd would serve as acting President until the inability had ended.

"(3) The President, in either event, would determine when the inability had ended and at that time would resume the full exercise of the powers and duties of the office."

This agreement was extended informally to one additional point in the White House press statement. Referring to "consultation" in Point 2, the statement said:

"There is no provision of the Constitution or of law prescribing any procedure of consultation, but the President and Vice President felt, as a matter of wisdom and sound judgment, that the Vice President would wish to have the support of the Cabinet as to the necessity and desirability of discharging the powers and duties of the Presidency as acting President as well as legal advice from the Attorney General that the circumstances would, under the Constitution, justify his doing so.

"The understanding between the President and the Vice President authorizes the Vice President to consult with these officials with a free mind that this is what the President intended in the event of a crisis."

Constitution Not Clear

The question of an acting President occurs because the Constitution is not clear about the rights and duties of the Vice President if the President, though living, is unable to function.

Article II of the Constitution raises such questions as:

"Does the office of President, or only the rights and duties of the office, devolve on the Vice President?"

Also, "If the office itself devolved on the Vice President, does that mean he would be President, and continue to be President even if the elected President fully recovered?"

Further, "Who shall decide

when a President is disabled, or what constitutes disability?"

Or, "Who shall decide when a President's disability has ended and how he shall reclaim his power?"

The Constitution, contrary to popular notion, does not provide beyond question that upon the death of a President the Vice President becomes President. However, succession to the Presidency, in case of death, resignation or removal, has been established by what scholars call "constitutional custom."

John Tyler established this precedent when William Henry Harrison died in 1841. The principle laid down by him was followed by six other Vice Presdents upon the death of the President in office.

Edward S. Corwin, a recognized authority, says in his book, "The President: Office and Powers":

"That Tyler was wrong in his reading of the original intention of the Constitution is certain."

It was clearly the intention of the framers, Mr. Corwin wrote, that the Vice President should remain Vice President unless he was elected President.

Some Doubts Linger

While custom has removed any real doubt about succession in the event of death, resignation or removal, doubt remains about rights and duties in the event of a President's inability and his subsequent recovery.

President Garfield lingered for eighty days after he was shot in 1881. He was able to perform only one official act, the signing of an extradition paper. The Cabinet wanted Vice President Chester A. Arthur to act in Garfield's place. But there was scornful lest the President, should he recover, would have no way of regaining the powers that the Vice President might have exercised in place of the President.

The most serious period of Presidential disability followed the stroke suffered by President Wilson in 1919. For six weeks he was unable to act on legislation that Congress sent to him. Effective power devolved on his wife and his physician.

The Eisenhower-Nixon agreement and the Kennedy-Johnson agreement appeared to clear up most constitutional ambiguities.

However, a problem might arise in the event of a President's mental incompetence. Such a President of his incapacity or, having done so, might reclaim his powers before he had recovered.

On this matter, a highly placed lawyer in the Justice Department said:

"Nobody has come up with the ingenuity to answer that one. Obviously there is a possibility of conflict."

There is a legal question whether the President has the right to make an agreement as to who shall act for him if he is unable to function.

In 1958, when the Eisenhower-Nixon agreement was announced, Speaker Sam Rayburn was reported to be opposed. He contended that there was no constitutional provision for an acting President and that a Vice President could not exercise Presidential powers without taking the Presidential oath. Mr. Rayburn was not available for comment today.

The Attorney General's opinion did not real directly with the legality of such an agreement. It dealt with the desirability of an agreement, with the Vice President's powers in certain circumtances, and and who should decide when inability began and ended.

Police Alerted For Safety of Kennedy

News & Observer
Jun 9-3-61
Raleigh N. C.

HYANNIS PORT, Mass. (AP) — Police increased their forces Saturday after authorities reported a former mental patient who talked of killing President Kennedy was headed for Massachusetts.

Kennedy's Secret Service detail, however, expressed no special concern.

Police normally stand guard at nearby street intersections and close by the Kennedy family homes on the shore of Nantucket Sound. Extras were stationed in the vicinity.

Send Out Alarm.

Massachusetts state police sent out a 13-state alarm Friday night after getting a report the man was heading from Texas by plane for Massachusetts. He formerly lived in Boston.

Acting White House press secretary Andrew T. Hatcher described the man as "an escapee from a mental hospital in Texas."

Police said the man was armed, termed him "extremely dangerous" and recommended caution in approaching him. Authorities kept an eye on passengers on planes landing at Boston area airports from Texas and New York.

Hatcher told newsmen the White House possessed no information that the man had threatened to kill the President. Security men who stand watch around the President had been advised of the reports, he said, and had checked the man's former residence in Brookline, a suburb of Boston.

Was Not There.

"They found he wasn't there," Hatcher said. "I see nothing to cause alarm as far as we are concerned," he added. "This is one of many reports of this nature received every day."

State police in Boston said police at Augusta, Maine, issued a description of a Howard C. Cooper, an escaped inmate of a state mental hospital at Austin, Tex., who had been identified by Texas authorities as the man who had threatened the President.

The Maine police broadcast said the man was 48, about 5 feet 10, and weighed 160. He was believed to be driving a two-tone blue Dodge sedan carrying Massachusetts plates.

Since Escape.

Since escaping in 1945, he has been living in Brookline, Mass., and Boston, the Maine broadcast said. On June 16, police said, Cooper received a person to person telephone call from Maine at his Brookline residence. Later, he left the house, police said, telling acquaintances he had a dish washing job in Maine.

Maine police said the man was arrested in 1934 on a murder charge at Austin, Tex., and in 1936 on a charge of assault with intent to commit murder.

S. C. Negroes Tell Robert Kennedy Party May Bar Them From Shindig

COLUMBIA (AP) — Four men members of a Negro political organization have told Atty. Gen. Robert Kennedy they expect to be denied admission to a state Democratic party fund-raising dinner here Wednesday.

John H. McCray, chairman of the South Carolina Progressive Democrats, told the attorney general Negroes are "morally and legally entitled to attend" the $20-per-plate affair.

At Greenville, B. P. (Ted) Riley, chairman of the state Democratic party, said the organization McCray heads is not connected with the state Democratic party.

The fund-raising dinner is a sell-out, Riley said, "and we have given preference in every way that we could to the loyal members of the Democratic party of South Carolina."

Last year the Progressive Democrats of South Carolina met in Columbia shortly before the presidential election last November. The group decided not to officially endorse either the Democratic or the Republican candidates.

Riley said he sent McCray's request for tickets to Frank Sloan of Columbia, in charge of dinner arrangements. He said he sent McCray a copy of the letter, advising McCray at the same time that he himself had no tickets for sale.

McCray sent copies of his letter to Riley, requesting the tickets, to Atty. Gen. Kennedy and to Secretary of Commerce Luther Hodges, who is to address the fund raising dinner in the ballroom of the Wade Hampton Hotel.The ballroom seats about 730.

In an accompanying note, McCray told Kennedy "We anticipate the checks will be returned and the request for reservations refused."

He also told the attorney general that the votes of Negroes were responsible for South Carolina being in the Democratic column for the past four presidential elections.

McCray noted that Negroes participate in precinct meetings and in county and state Democractic conventions in South Carolina. He said a 1948 federal court decision opened "all phases" of party activities to participation by Negroes.

Riley, emphasizing that McCray's organization is not the same as the one he heads, said, "If the Progressive Democratic party of South Carolina wants to raise funds for any purpose, they are certainly at liberty to do so and use whatever means they may desire.

"This is particularly a fund-raising affair for the Democratic party of South Carolina and it will be reserved for that purpose," Riley added.

ROBERT KENNEDY JOINS C.I.A. STUDY

President Bids Brother Help Taylor Look Into Agency Role in Cuban Move

By JAMES RESTON

Special to The New York Times.

WASHINGTON, April 23—President Kennedy has asked his brother, Attorney General Robert F. Kennedy, to help investigate the Central Intelligence Agency's part in the Cuban crisis and in all other aspects of this country's secret defense activities.

The Central Intelligence Agency, a division of the Government operating under the President and the National Security Council, helped organize, train, finance and arm the recent unsuccessful efforts of the Cuban refugees to overthrow the Castro Government.

Attorney General Kennedy, who investigated Communist and other subversive activities within the United States before joining the Cabinet, has already started working on the matter with Gen. Maxwell D. Taylor, former Army Chief of Staff.

Sensitive Questions Raised

General Taylor was recalled here yesterday to conduct a survey of the organization and capacity of the United States to deal with such things as subversion, counter-espionage and guerrilla warfare.

The President turned to his brother to help with this investigation because of his confidence in the Attorney General and because the C. I. A.'s role in the Cuban attack has raised a number of highly sensitive political and international problems.

First, the failure of the Cuban uprising has been generally attributed to a faulty C. I. A. intelligence estimate that the Cuban people were ready to revolt against the regime of Premier Fidel Castro. Therefore, the President feels that the whole intelligence apparatus must be studied and improved.

President Works for Unity

Second, the President feels that this investigation should be conducted in such a way as to avoid any charges of partisan bias against Allen W. Dulles, brother of former Secretary of State John Foster Dulles.

Allen Dulles, who has been director of the C. I. A. since early in 1953, has powerful political support among President Kennedy's political opponents on Capitol Hill.

The President has insisted on two points in dealing with the internal political consequences of the Cuban failure. The first is that his own official family should not divide into those who were for the operation and those who had misgivings about it. And second, that everythi possible should be done to avo a Republican-Democratic fig about the failure.

With this latter point in min the President warned membe of the White House staff th week-end against trying place the blame for the failu on C. I. A. Director Dulles. A he intervened personally yeste day to kill stories attributed one of his aides that form President Eisenhower had re ommended the Cuban adve ture.

It was against this delicate political background that the President turned to his brother, as he has often done in times of trouble in the past. The Attorney General has the confidence of many Republicans and conservative Democrats on Capitol Hill who have been critical of President Kennedy in the past.

Secrecy a Problem

Cuba has merely dramatized a problem that has troubled the President ever since the U-2 spy-plane controversy of last year and before. This is how an open, nonconspiratorial society, with a free press, skeptical of secret government activities and power, can compete effectively with a secret and conspiratorial society using all the instruments of subversion without having to answer to its own public opinion.

The President referred to this problem in Saturday's National Security Council meeting. He mentioned it again in his speech to the American Society of Newspaper Editors earlier in the week.

Communist armies, he said, serve primarily as the shield behind which subversion, infiltration and a host of other tactics can steadily advance.

"To long," he added, "we have fixed our eyes on traditional military needs, on armies prepared tto cross borders, or missiles poised for flight. * * * We intend to re-examine and reorient our forces, our tactics and our institutions * * * for a struggle in many ways more difficult than war."

The inquiries of Attorney General Kennedy and General Taylor will be directed to this end, and the role of the Central Intelligence Agency, so little known in this country, will be one principal object of their investigations.

The Central Intelligence Agency did not come into being until after World War II. It was created by the National Security Act of 1947. Its statutory functions are:

¶To advise the National Security Council (a committee of the Cabinet dealing with the highest defense and foreign policy questions) on intelligence matters related to national security.

¶To make recommendations to the National Security Council for coordination of intelligence activities of other departments and agencies of the Government.

¶To correlate and evaluate intelligence and provide for its distribution to authorized persons within the Government.

¶To perform for the benefit of the intelligence agencies of the other departments such "additional services" as the National Security Council determines can be accomplished more effectively by central control.

¶To perform "other functions" and duties relating to national security intelligence as the National Security Council may direct.

The training, arming and master-minding of the Cu exercise was one of th "additional services" or "ot functions" assigned to C. I. A. in addition to its of "correlating and evaluati the intelligence for that ope tion.

Incidentally, despite all criticism of the C. I. A. Washington in the last days, there have been no s gestions, as there were a the downing of the U-2 pl inside the Soviet Union year, that the secret intellige agency was acting without thority.

It has been suggested t in the last decade the C. I. has got into the habit of arguing for certain courses of policy action rather than merely presenting the facts to the policy makers.

Allen Dulles has always maintained that the "C. I. A. is not a policy-making agency:" We furnish intelligence to assist in the formulation of policy." Nevertheless, during the last few years, the C. I. A. has increasingly been charged with departing from this role and setting itself up as a "third force" in the Government, competing with the State and Defense Departments for the adoption of policies its intelligence estimates seemed to support.

Part of the reason for its difficulties is that the C. I. A. is a comparatively new organization operating in a society and government unaccustomed to conspiratorial activities.

Forrestal Noted Dilemma

The first Secretary of Defense, referred to one dilemma facing the intelligence officials at the very beginning.

"In a democracy," he remarked, "intelligence activity is a difficult task. By the nature of its objectives it ought not to have publicity; yet that is one of our difficult problems—just as during the war one of our greatest problems was the making available of the news that should be available and yet denying to the enemy the things that could lend him not only comfort but substantial and effective help."

President Kennedy discussed this dilemma at yesterday's National Security Council meeting on the Cuban crisis, noting that there was "no New York Times" to print the news of what the Communists were doing in Laos and Vietnam.

The structure of the C. I. A. reflects this dilemma. Unlike the secret service of most other countries, it is part open and part underground.

'Double Cross' Hinted By Secretary Hodges At Jackson Day Dinner

COLUMBIA, S.C. — (ANP) — Secretary of Commerce Luther H. Hodges hinted that he was double-crossed by sponsors of a white Jefferson-Jackson day dinner here last week at which he was the principal speaker.

John H. McCray, head of the Progressive Democrats, a Negro group, had advised Hodges before the dinner that Negroes had been refused tickets.

When Hodges arrived at the hotel, Negro pickets were parading back and forth across the front entrance so Hodges and Gov. Ernest F. Hollings used a rear entrance to avoid the pickets.

After the dinner, Hodges issued a statement in which he said he had been assured prior to the affair that "no one had been refused a dinner ticket because of race or color."

On the eve of the dinner the governor has been questioned concerning political segregation, arising out of Negro complaints that they would not be permitted to attend the Democratic-fund raising dinner.

Asked whether there was any merit to McCray's contention that Negroes should be present, Gov. Hollings said:

"None at all. He heads a different party."

The governor added that the Negro Progressive Democrats were free to hold a dinner of their own if they chose.

Phones White House

McCray, said he had telephoned the White House and national Democratic head-quarters in Washington to brief them on his move to gain admittance to the all-white affair.

McCray said he had talked with Frank Reeves, adviser to President Kennedy on civil rights matters.

He said he had been informed that the administration had a "strict policy on such matters" involving speaking engagements of cabinet members.

Notify JFK, Hodges

13 Tests S. C. Dems on State Jim-Crow Law

COLUMBIA, S. C.—Thirteen persons, battling racial discrimination of the S. C. Democratic Party, paid $20-banquet table seat fees and sought reservations for the 1961 Victory Banquet of the party, staged in the exclusively white Wade Hampton Hotel.

The group, shepherded by the South Carolina Progressive Democrats include:

Mrs. Grace Bessellieu of Greenville; John S. Cole, Cheraw; Dr. Walter M. Evans, Moncks Corner; Dr. James M. Hinton, Columbia; George A. Holman Jr., Moncks Corner; John H. McCray, Columbia; Eugene A. R. Montgomery, Orangeburg; Ross B. Stafford, Georgetown; Mark B. Tolbert, Greenville; Rev. Reuben S. Turner, Columbia; Mrs. Annie Belle Weston, Columbia, and A. J. Whittenberg, Greenville.

■

MR. McCRAY, chairman of the organization, said the group planned an "acid test" of South Carolina racial laws involving hotels, lunch counters and all other areas' 'in seeking reservations.

He said that both Secretary of Commerce Luther Hodges, the scheduled speaker at the banquet, and Atty. Gen. Robert F. Kennedy had been notified of the action and the probable violation of a 13-year-old Federal Court decision, should the applications be turned down.

Mr. McCray is state chairman of the South Carolina Progressive Democrats.

■

THE CASE referred to is listed as "Brown vs. Baskin," and decided in 1948.

Substance of case is that the South Carolina Democratic party cannot legaly engage in activities and functions, from which Negroes are barred.

Mr. McCray also said that "from the moral point, we offer the fact that for Presidential elections in 1952, 1956 and in 1960 the Democrats would not have won the state, even by the close votes they did win, had Negro Democrats voted for the opposition.

"What irks us most," he went on, "is that while they MUST have our votes to win, they have tried to deny and rebuke us when they got ready to celebrate the victory which was possible only because of us."

■

IN LETTERS to Secretary of Commerce Hodges and Attorney General Kennedy, the group asked support under the 1960 Civil Rights Laws, stating that Negroes must have full rights to all activities of a political party, as well as those to register and vote.

The trail blazers said they had full support from unnamed sources within the state party. Negroes have been systematically excluded from banquets and social events of the South Carolina party.

Crashing through this is envisioned as a defeat for all other forms of racial segregation and discrimination in that state.

Negroes Inform the White House Democrats Bar Them at Dinner

Special to The New York Times

COLUMBIA, S. C., April 25—Negroes have complained to the White House that they have been refused tickets to a South Carolina Democratic party dinner here tomorrow at which Secretary of Commerce Luther H. Hodges wil lspeak.

John H. McCray, spokesman for the Negroes, said today that he had telephoned the White House and National Democratic headquarters in Washington about his attempt to gain admittance to the fund-raising dinner.

Mr. McCray said that he had talked with Frank Reeves, adviser to President Kennedy on civil rights matters. He said he had been informed that the Administration had a "strict policy on such matters" involving speaking engagements of Cabinet members.

Not a Public Function

Mr. McCray said that he and twelve other Negroes had sent $20 checks to the state Democratic organization April 18 and had asked for reservations. The checks were returned April 23 by the dinner chairman, Frank K. Sloan, who was also the Kennedy-Johnson state campaign manager [illegible] he said.

He quoted Mr [illegible] replying "All tickets will be sold through regular Democratic party county chairmen, and were substantially sold out a week ago."

Mr. Sloan also wrote: "Even if extra tickets were available, they would first be allotted to the waiting list of members of the Democratic party before being made available to other organizations. This rally is a party function, not a public meeting."

The Democratic organization took the position that Mr. McCray was head of the South Carolina Progressive Democrats, a Negro political action organization, and was not a member of the state party.

Mr. McCray replied today that some of the Negroes seeking tickets were party officials who had participated in precinct, county and state meetings in the regular organization. Some have run in party primaries, he said.

He also cited letters from Mr. Sloan during the Presidential campaign in 1960 soliciting support for the Kennedy-Johnson ticket and a letter March 25 asking the Negroes to join with $5 memberships as "active Democrats."

"We are accepting your invitation," Mr. McCray said.

2 Presidents Are Greeted By Kennedy

Sukarno and Keita Arrive Here as Peace Emissaries

By Edward T. Folliard
Staff Reporter

President Kennedy yesterday welcomed two peace emissaries from the recent Belgrade Conference—President Sukarno of Indonesia and President Modibo Keita of Mali—and told them that this Nation shares their desire for a tranquil world.

Sukarno, wearing a military uniform and carrying a swagger stick, and Keita, attired in a suit of vivid blue, arrived in a Pan American Airways transport at Andrews Air Force Base, far behind schedule.

President Kennedy, who had sat inside a helicopter waiting for them, greeted the two men as they came down the ramp onto a red carpet. He then stood with them in blazing heat and humidity as the Air Force Band played the Indonesian, Mali and American anthems, and cannon rang out in a 21-gun salute.

Both President Sukarno and President Keita, in brief talks at the air field, spoke of the powerful sentiment at the Belgrade Conference for world peace. Neither, however, mentioned to commission given them at Belgrade to urge upon President Kennedy that he try with Soviet Premier Nikita S. Khrushchev to meet quickly and "avert imminent conflict."

Mr. Kennedy, who also spoke at Andrews Air Force Base, likewise was silent about a meeting with Khrushchev.

The three leaders talked later at the White House for 53 minutes, and might then have discussed such a meeting. They also are scheduled to meet again at 10 a. m. today.

Delayed an Hour

The chartered Pan American jet bearing Sukarno and Keita, along with their aides, was originally scheduled to arrive at 3 p. m. This arrival time was then pushed back to 3:50 p. m. However, it was after 4 p. m. when the big transport came in.

Mr. Kennedy, who had been sitting in a helicopter talking with Secretary of State Dean Rusk, did not seem to be irritated by the delay, although the heat and humidity were pretty bad.

After the traditional pageantry an dthe inspection of an honor guard, the three leaders mounted a small platform for brief speeches.

President Kennedy, leading off, said he realized that the distinguished visitors had come to Washington on a mission of peace, and added:

"We are grateful to you for making the long voyage. We recognize that in coming, as you have, around the world to visit us here in the United States, that your objectives are those which you share with us: A desire that the world may live out their lives in the way they wish, and in the peace they want."

Sukarno's Fourth Visit

President Sukarno, keeping on his dark glasses, his pitji (a pillbox-type cap) and holding his swagger stick under his left arm, referred to his host as "my dear President Kennedy." He noted that this was his fourth visit to Washington.

The Indonesian said that on his earlier visits he had represented the 92 million people of his own country, but that now he and President Keita were the envoys of 750 million peoplet—he number represented at the Belgrade gathering of 25 non-aligned nations.

"Our task is not a task of mediation," he said. "No, our task is to communicate the thoughts and concerns of the Belgrade conference to you . . . We do not command physical power, we do not command military power, we do not command big economic power.

"But we non-aligned nations are the least inhibited in developing our thoughts and conceptions for the formation of a new world, a new world of freedom, of prosperity, of friendship, and cooperation and brotherhood amongst nations.

"I am sure that the American people and you yourself, Mr. President, . . . also are very concerned about the world situation. And that is why I express the hope that our talks will bear fruit, in order to save this world from calamity and catastrophe."

President Mali, a powerfully-built man and taller than Mr. Kennedy, represents a new African republic of six million. Speaking in French, he noted that it was his first visit and emphasized that he was speaking not only for the 25 nations at Belgrade but for his own people.

"We are bringing you a grave burden," he told President Kennedy. "We are bringing to you a message of trust, because we are quite certain that the people of the United States wish to live in peace and only peace."



Associated Press

President Kennedy listens as Indonesian President Sukarno, using gestures to stress a point, talks on the flight ramp at Andrews Air Force Base. At left is President Modibo Keita of the Republic of Mali. The two visiting chief executives are in Washington as emissaries of the neutralist nations.

34d 1961

DEMOCRATIC

NOVEMBER
PRESIDENT KENNEDY

Kennedy Got Bad Advice on Nikita

p. 23 The Florida Times-Union

MERRY-GO-ROUND

By DREW PEARSON

WASHINGTON—What the public doesn't know about the Berlin crisis is that the President has been receiving two sets of advice from inside the State Department on how to handle Soviet Premier Nikita Khrushchev. Fri. 10-27-61

Now, with the flare-up between the Red Chinese and Khrushchev at the 22nd Communist party congress, one set of advisers has been proved completely wrong. The Florida Times-Union

Just a few days before the 22nd congress, Charles E. (Chip) Bohlen was telling the White House that all was well between Khrushchev and the Chinese, that he had Mao Tse-tung eating out of his hand. Bohlen is rated as the State Department's No. 1 adviser on Russian affairs. What he says about the goings-on inside the Kremlin is considered gospel.

He has been advising President Kennedy to take a hard line with Khrushchev, has leaned toward the idea that K was completely calling the shots inside the Soviet, that he had no problems with the Red Chinese or the Red army or the old Stalinist crowd.

P. 20

Meanwhile, Ambassador Llewellyn Thompson, U.S. envoy in Moscow, has been advising the opposite. He has warned that Khrushchev had problems inside the Kremlin, that he had to yield to the Red army marshals on atomic testing, that the Red Chinese were ready to raise cain if he didn't come up with a tough Berlin agreement to prove his policy of coexistence.

Thompson also has expressed the belief that the Red army forced Khrushchev to test the 50-megaton bomb.

The most important advice he has given Kennedy was that if Khrushchev is pushed out of the Kremlin, the United States will have to deal with someone much tougher, probably a fanatical Communist who would reverse Khrushchev's policy that war is not necessary between the capitalist and Communist worlds.

Disastrous Advice

This conflicting advice, coming at this crucial period to the President of the United States, is perhaps the single most important factor influencing U.S. foreign policy. It has a direct bearing on almost everything Kennedy does, especially Berlin.

For if the President considers Khrushchev a potential friend, he plays policy one way. If he considers him an inevitable enemy, he plays it the other.

As between these two sets of advice, Kennedy at first sided almost entirely with Bohlen. Bohlen, it should be noted, also had supporters, the most important being Dean Acheson, former secretary of state, who also advised Kennedy that it was impossible to get along with Khrushchev, that he should not yield an inch over Berlin.

Others believed just the opposite, including Adlai Stevenson, ambassador to the United Nations; Chester Bowles, undersecretary of state; Sen. William Fulbright, chairman of the Senate Foreign Relations Committee; and Sen. John Sherman Cooper, Kentucky Republican, an important member of the Foreign Relations Committee.

They advised Kennedy, as early as the week before he was inaugurated, to take the initiative regarding Berlin. They advised that the Berlin problem was now 16 years old, that it couldn't be postponed indefinitely, that Khrushchev already had postponed it three times—at our urging. Finally they pointed out that a football player who is running with the ball is in a much better position than a football player who is trying to tackle him; so, they urged, Kennedy should grab the Berlin ball and run with it.

Kennedy Now on Defensive

Instead Kennedy took the advice of the anti-Khrushchev clique inside the State Department, and now finds himself trying to tackle Khrushchev who carries the ball.

Significantly, it was not until Ambassador Thompson was called back from Moscow last spring that Kennedy began to try to carry the Berlin ball. When Thompson returned to Washington, he advised that Khrushchev had problems with elements inside the Communist bloc who wanted war with the United States and that we had better help K make his policy of coexistence work.

It was then that Kennedy sent Khrushchev a letter, via Thompson, inviting him to meet in Vienna.

But by that time Khrushchev, though still anxious to meet with Kennedy, was getting the "I told you so" treatment from the Red Chinese, the Red army marshals and the Stalinists. He was in a stiffer mood.

He had released the RB47 fliers right after Kennedy's inauguration in a carefully calculated attempt to improve relations. He had sent Kennedy a long, glowing inaugural telegram of congratulations for which he received only brief, formal thanks. He had offered to send an envoy of cabinet rank to Kennedy's inauguration, which was turned down. And when Stevenson in New York said he was sure Kennedy would see Khrushchev if K came to New York to attend the United Nations, this got a blunt formal denial from the White House.

This had brought Bronx cheers from the Red Chinese, the Stalinists and those inside the Red army who had been telling Khrushchev that his policy of getting along with the West was all hogwash. Naturally it made Khrushchev much more difficult to deal with in Vienna.

All this is why the group of advisers who told Kennedy that Khrushchev had nothing to worry about inside Russia may be the single greatest factor influencing American policy for peace or war in this generation.

A STONE'S THROW

Pres. Kennedy's Not Weak, Our Political System Is

The Afro-American
C-3

By CHUCK STONE

America's favorite indoor sport these days — particularly among the gentlemen of the press—is Sunday quarterbacking President Kennedy's signals to the nation and the world.

Most of these armchair strategists couldn't administer their way out of a Halloween grab-bag, but they've got several typewriter ribbons of ideas on how to run the United States presidency.

Oct. 11-11-61

"Weak," "lack of firmness," "indecisive," and "vacillating leadership" are just a few of the thorny adjectives with which President Kennedy has been crowned.



In a short 10 months —though the American press won't admit this —President Kennedy has failed to save the whole world from itself. He just hasn't been able to solve all of our problems overnight and man, oh, man, are they going to trot him out to the woodshed.

* * *

NONE of these fountains of printers-ink wisdom have placed their typewriter-pecking fingers at the sorest point of this "infirm leadership."

* * *

And it's so simple. The problem lies not with President Kennedy, but with the presidency, a kind of political pimple in our form of representative government which, at best, can be described as irresponsible.

That's right. We don't have responsible representative government.

* * *

RATHER, we have a loose collection of political fiefs all over America which operate under the name of the Democratic or Republican Party.

Periodically, they convene in the Congress of the United States to try and hack out legislative programs, but under no circumstances are the heads of these fiefs (Congressmen) responsible to or beholden to the principles of their political party.

At any time they choose, they can individually kick over the platform principles of their party and refuse to follow the party mandate. The party itself cannot penalize them.

In fact, the only penalty which dangles over their heads is the Damocles sword of presidential patronage. Should a Democratic Congressman "fall out" completely with the Democratic Party, the President merely starves him out of lucrative patronage jobs and governmental contracts.

This power of patronage is the only safeguard which upholds the President as titular head of his Party. The actual power of party boss can lie with a speaker of the House, a majority leader, or an influential state politician.

If, however, a sufficiently rambunctious group of Congressmen decides to challenge him for the leadership of the Party, it can and the President is then placed in the ridiculous spectacle of defending himself within his own Party.

Party responsibility

What our political system needs is a good dose of "party responsibility."

* * *

THIS MEANS the political party sui generis is responsible for its actions. Thus, an elected President has a majority in the Congress. He runs the government with the full confidence and co-operation of his Party, the Party participates in the decision-making process, and the Party must share the blame for failures and not pump them on the President.

This is the British system. A political party is elected to office, it chooses its cabinet and prime minister and the Party stays in power as long as its majority is never overcome through by-elections or challenged successfully by "His Majesty's Opposition."

* * *

PRESIDENT KENNEDY could exercise much more forthright leadership if he had a united political party behind him, if he didn't have to please all of the political clowns who snipe at him for purely personal reasons, and did not have to worry about steering his legislation through a Congress only half-heartedly on his side.

It's easy to make false comparisons with the "first 100 days" of the Roosevelt administration or the Eisenhower administration, but in both cases, the circumstances of this country's economy and political mood were different. Under both Presidents, Congress was almost like a willing prostitute, waiting to be compromised, waiting to surrender much of its legislative prerogatives under the mesmerizing banner of "National unity."

Once, however, critical problems are resolved, Congress kicks up its heels and charges off to re-assert its authority.

* * *

NO, I don't think President Kennedy is weak, vacillating or indecisive.

I think this better describes our political system which ought to be overhauled to give political parties more responsibilty at the center so our President can govern with the same show of strength as does the British prime minister.

With all of the historical, built-in limitations of the United States presidency as an office with shallow pretenses of honest-to-goodness executive powers, President Kennedy is doing a remarkably outstanding job.

34d 1961

DEMOCRATIC

SEPTEMBER
PRESIDENT KENNEDY
SCHOOL FOR CAROLINE

School in White House Arranged for Caroline

By ISABELLE SHELTON
Star Staff Writer

The school bell will ring at the White House this fall for Caroline Kennedy and her friends.

First Lady Jacqueline Kennedy and the parents of several other children are setting up a co-operative school, with classes to be held in the White House.

They have engaged a teacher, Mrs. Jaclin Lindau Marlin, who until recently was director of the preschool program at Harvard University Graduate School of Education.

Mrs. Marlin, who is 29, left Harvard a few months ago to come to Washington as the bride of David Marlin, an attorney with the Small Business Administration.

Mrs. Marlin will act as head of the school, with another teacher assisting her.

It is believed that the school will have only about seven or eight students — presumably largely the same group which attended an organized play group with 3½-year-old Caroline at the White House last winter and spring.

Mrs. Kennedy's decision to invite the group to hold its classes in the White House is understood to have been reached because she was so unhappy over publicity which resulted from Caroline's weekly attendance at the Washington School of the Ballet last year.

Reporters and photographers were at the door of the ballet school waiting to observe and photograph the President's daughter, the first few weeks when she arrived for her weekly lessons.

Mrs. Kennedy, who is determined to give her children a normal life despite the spotlight that glares on the White House, was so distressed about the ballet school publicity that she devoted part of a rare network television interview to lamenting that she had not been able to keep the lessons private.

Last year she at one time expressed an interest in having Caroline attend a Northwest Washington co-operative nursery school, at which she herself wanted to help out along with the rest of the mothers.

In addition to recognizing that Caroline's attendance at school would have drawn the press and also curious bystanders, the First Lady may have reluctantly acknowledged that her own attendance, as one of the mothers, would have drawn an even larger crowd.

PRESIDENT KENNEDY
LUNCHEON IN HONOR OF SIR ABUBAKAR TAFA BALEWA
PRIME MINISTER OF NIGERIA

President Kennedy's luncheon draws record number of guests

Afro American 6-20
Sat 8-5-61

WASHINGTON, D. C. (NNPA) — The largest number of colored Americans ever to attend a social affair at the White House were guests at the luncheon given by President Kennedy Tuesday in honor of Sir Abubakar Tafa Balewa, Prime Minister of Nigeria, who was here for a three-day state visit.

The guests included Representative Adam C. Powell, New York; Representative Robert N. C. Nix, Pennsylvania; George L. P. Weaver, assistant secretary of labor; Andrew T. Hatcher, presidential associate press secretary; Claude A. Barnett, president, Associated Press; Dr. Horace Mann Bond, president of the American Society of African Culture.

Dr. Rufus E. Clement, president, Atlanta University; Edward R. Dudley, mayor of Manhattan borough and vice chairman of the Board of Trustees of the African - American Institute; Dr. E. Franklin Frazier, professor of sociology, Howard University.

Judge William H. Hastie of the United States Third Circuit Court of Appeals, Philadelphia; John H. Johnson, publisher, Chicago; Carl Murphy, board chairman, AFRO American Newspapers; Dr. James M. Nabrit, Jr., president of Howard University, and Roy Wilkins, NAACP executive secretary.

* * *

MEMBERS of the Nigeria party who accompanied Sir Abubakar to Washington and were guests at the luncheon included Jaja Wachuku, Minister of Foreign Affairs and Commonwealth Relations; J. M. Udochi, the Nigerian Ambassador; T. O. S. Benson Minister of Information; M. A. Majekodunmi, Minister of Health; M.T. Bbu, Minister of State for Foreign Affairs;

Also Dr. K. O. Mbadiwe, personal adviser to the Prime Minister on African Affairs; S. O. Wey, secretary to the Prime Minister; L. O. V. Anionwu, Premanent Secretary, Ministry of Foreign Affairs; J. M. Garba, Counselor of the Nigerian Embassy.

VICE PRESIDENT Lyndon B. Johnson, Speaker Sam Rayburn, Secretary of State Dean Rusk, Secretary of the Treasury Douglas Dillon, Attorney General Robert F. Kennedy, Senator Alexander Wiley, Wisconsin Republican; Senator Homer E. Capehart, Indiana Republican; Senator J W. Fulbright of Arkansas, chairman of the Senate Foreign Relations Committee.

Senator Everett Dirksen of Illinois, Senate Republican leader; Senator Frank J. Lausche, Ohio Democrat; Representative John W. McCormack of Massachusetts, House Democratic floor leader; Representative Charles A. Halleck of Indiana, House Republican floor leader; Representative Robert B. Chiperfield of Illinois, ranking Republican member of House Foreign Affairs Committee.

Representative Thomas E. Morgan of Pennsylvania, chairman of the House Foreign Affairs Committee; Representative E. Ross Adair, Indiana Republican; George W. Bell, Under Secretary of State; Henry R Labouisse, Director. International Cooperation Administration; Edward R. Murrow, director, United States Information Agency; Arthur Schlesinger, Jr., special assistant to the President.

Philip H. Coombs, Assistant Secretary of State for Educational and Cultural Affairs; Frank M. Coffin, Managing Director, Development Loan Fund; Donald M. Wilson, Deputy Director, United States Information Agency; R. Sargent Shriver, Director of the Peace Corps; Henry J. Tasca, Acting Assistant Secretary of State, Bureau of African Affaires; Walt W Rostow, Deputy Spesial Assistant to the President.

Clement E. Conger, Deputy Chief of Protocol; Dr William O. Brown, Director, African Research and Studies Program, Boston University; Marquis W. Childs, St. Louis Post Dispatch; Alfred Friendly, The Washington Post; Edward L. Greenfield, vice chairman of Board of Directors, Operations Crossroads Africa, Inc.; David E Lilienthal, chairman, Development and Resources Corporation, New York City.

Ralph McGill, editor, Atlanta Constitution; Vernon McKay, professor of African Studies, John Hopkins University; Clark R. Mollenhoff, Cowles Publications; James B. Reston, The New York Times; Prof. Wilson Schmidt, Department of Economics, George Washington University; Joseph R. L. Sterne, The Baltimore Sun.

34d 1961 DEMOCRATIC PRESIDENT KENNEDY

Kennedy Asks Foreign Students To Spread Word of U.S. Virtues

Chicago Tribune Press Service

WASHINGTON, July 13—President Kennedy today asked a large group of exchange students from 50 countries to serve the cause of world peace by perceiving the virtues as well as the faults of the United States and telling their people of the good this country is trying to do.

There are prejudices and stereotypes about the United States in countries overseas, the President said, and Americans may not have a real understanding of foreign peoples. He urged the students to act as a bridge between Americans and people abroad to eliminate misunderstanding and prejudice.

Kennedy spoke informally to 1,800 teen-age foreign students on the south lawn of the White House. The students arrived here yesterday for a four-day visit to conclude a year's stay in the United States, living with American families and attending their senior year of high school, under an American Field Service program.

Chant 'We Want Kennedy'

The excited boys and girls, crowding and pushing behind a rope barricade stretched around the south portico of the executive mansion, chanted "We want Kennedy" until the President appeared on the porch with a wave and a smile. They cheered and applauded after he finished his talk.

As the President walked down the porch steps to greet and shake hands, the crowd surged forward. The rope barrier and a hedge were trampled down. Several students were pushed to the ground, but none was injured. White House police, Secret Service agents, and American Field Service officials intervened and were restoring order when the President returned to his office with a final wave.

"I hope," the chief executive told the students in his brief address, "that your experience here has taught you a valuable lesson, and that is that there are no simple problems—that if we in the United States look around the world at so many different people, at so many different countries, we build up in our own mind stereotypes and prejudices and sympathies and affections. I am sure you have learned how far removed we may be from our real understanding of the life of your people.

Destiny Is Outlined

"You will go back to your countries, and they have stereotypes and prejudices and ideas about the United States. It is going to be your destiny, I hope, to serve in the interests of peace as a bridge between the best parts of my country and your people."

Kennedy said he hopes the students will leave the United States not only as friends, but with an understanding of "our faults and our assets," with a realization of what the United States is trying to do and be. He said the United States wants the friendship of people in foreign lands, adding that this country is now occupying a position of responsibility in a most difficult time.

Kennedy observed that the White House belongs to the American people and that, as president, he is only a temporary resident. He reminded the students that the White House has been the residence of a good many Americans — Washington, Jefferson, Lincoln, the Roosevelts, Wilson, and others—who have served as inspirations to people overseas.

The foreign exchange students came to Washington in 54 buses after a 2½-week cross-country tour. The teen-agers are staying with 1,500 families during their visit here, which will be devoted primarily to sight-seeing.



—AP Wirephoto

Foreign Exchange Students Almost Overwhelm Kennedy (arrow)



PUSHED BY OTHERS behind them, foreign exchange students tumble into the boxwood hedge in the White House rose garden Thursday. The students moved forward to try to shake hands with President Kennedy after he addressed them. Some got caught in the squeeze and were toppled into the hedge. Kennedy addressed 1827 teen-agers who have been spending their senior year of high school in the United States under auspices of the American Field Service.

Bob Kennedy sounds rights law warning

ATHENS, Ga., May 6—(AP)—Speaking at a campus once struck by integration rioting, Atty. Gen. Robert F. Kennedy told a Deep South audience Saturday he will enforce civil rights laws vigorously.

Making his first major address as attorney general, the president's brother flung out an appeal as wel las a warning.

In a talk pepared for a law School observance sponsored by the University of Georgia, Kennedy said:

"You may ask, will we enforce the civil rights statutes.

"Theanswer is: 'Yes, we will.' "

Kennedy added:

"WE WILL NOT threaten, we will try to help. We will not persecute, we will prosecute.

"We will not make or interpret thelaws. We shall enforcethem —vigorously, without regional bias or political slant.

"All this we intendd to do. But all the high rhetoric on law day about the noble mansions of the law; all the high-sounding speeches about liberty and justice, are meaningless unless people—you and I—breathe meaning and force into it."

Kennedy said the South, perhaps more than any other section of the country, has been given the opportunity, challenge and responsibility of "demonstrating America at it's greatest—at its full potential of liberty under law."

U. S. Probes Plot to Seize Caroline

Pro-Castro Cubans Reported Involved In Florida Move

PAL BEACH, Fla., March 31 (AP)—A reported plot by pro-Castro Cubans to kidnap President Kennedy's daughter, Caroline, is being investigated by the United States Secret Service and Florida police.

The investigation, it was learned today, was started about a week ago. It has resulted in tightened security precautions around the 3-year-old, but her normal movements reportedly have not been restricted.

The White House characterized the investigation as strictly routine. Press Secretary Pierre Salinger said it was similar to many others the Secret Service conducts each year in protecting the President and his family.

Salinger said the President —and presumably Mrs. Kennedy—knew nothing about the investigation until he learned of a news dispatch dealing with it today.

This Secret Service inquiry began shortly before Caroline came to Palm Beach from Washington last Monday for an Easter holiday.

Caroline was accompanied from the capital by her mother and the newest member of the Kennedy family, John Jr., 4 months. The President arrived from Washington yesterday.

Kennedy Stature Grows In South

BY GENE WORTSMAN
Post-Herald Correspondent

WASHINGTON, April 16—A remark by Gov. John Patterson months ago is beginning to look better and better, at least for the time being.

When he was being clobbered at home for backing Sen. John F. Kennedy for the Democratic nomination, Patterson replied that he believed Kennedy "Understands our problems."

To date, Southerners here are in much agreement with that statement.

The suporting evidence comes from the fields of civil rights, agriculture and textiles.



Liberals already have expressed disappointment over Kennedy's failure to push civil rights. Kennedy's campaign statements led them, and many Southerners, to believe that if elected he would lead the charge into new civil rights endeavors.

It is acecpted here and now by congressmen that Kennedy will not ask new civil rights legislation this year.

The NAACP has made known it disagrees with this policy.

It could be, in the long run, that Kennedy is smarter than the NAACP, for any efforts in that direction now could lose him Southern support on other big issues.

Margin Too Close

His vote margin in Congress is too close to risk antagonizing any Congressional group.

Nor has it gone unnoticed here that on the day the government dropped its tax case against Rep. Adam Clayton Powell (D., N. Y.), Powell announced he would not introduce the Powell amendment to the education bill this year.

Powell has introduced it habitually to prevent use of Federal funds in segreated school areas.

Powell's announced reason for his decision was that he knew this amendment might defeat an education bill. With a Soviet man in space, said Powell, America must push forward on the education front.

Two vacancies have existed on the Civil Rights Commission for some weeks and Kennedy has shown no hury to fill them.

Again trying to avoid conflict Atty. Gen. Robert Kennedy has telephoned Southern leaders in advance of civil rights action in their state by the Justice Dept.

Agreement Fails

He failed to get an agreement in Alabama and the voting case in Dallas County was filed last week.

On the agriculture front, one South Alabama congressman said he believes the Administration is being considerate of Southern views.

"I believe that everyone who knows anything about agriculture realized that they haven't hit the jackpot yet," said Rep. George Grant, a member of the House Agriculture Committee. "I think they are making an honest attempt. I wouldn't say I'd accept all they've suggested, but they are making an honest try."

He said Sec. Orville Freeman is anxious to meet with groups to get their views.

So far, Southern cotton growers have been given higher price supports and a bigger export subsidy. Price supports have been upped on peanutes, cottonseed and other commodities.

Recognizing the inroads that imported textiles have made on the domestic market, Kennedy appointed five cabinet members to make a recommendation to him.

The report is exepcted this week.

The guessing is that the committee will propose curbs on imports.

R. Kennedy Tells Big Mix Plans

ATHENS, Ga. (UPI) — Atty. Gen. Robert F. Kennedy told an audience of Southerners today he was going to do his best to end racial discrimination everywhere — including within his own department.

Kennedy said, in a prepared speech at the University of Georgia, he would vigorously enforce the supreme court's 1954 school desegregation mandate and civil rights laws dealing with the right to vote.

Kennedy scored financial leaders "who deplore discrimination in the South but belong to institutions where no Negroes or Jews are allowed."

He also struck at union officials who "criticize Southern leaders and yet practice discrimination within their unions" and government officials who "belong to private clubs in Washington where Negroes, including ambassadors, are not welcomed even at mealtime.

PROBLEM FOR ALL

The problem between the white and colored people is a problem for all sections of the United States," he said, adding that the South has a special role to play in "demonstrating America at its greatest—at its full potential of liberty under law."

In his first major speech since assuming office, the President's brother said he believed "there has been a great deal of hypocrisy" in handling discrimination problems. He said that when he first came to the Justice Department only 10 of its 950 lawyers were Negroes.

"At the same moment the lawyers of the Department of Justice were bringing legal action to end discrimination," he added, "that same discrimination was being practiced within the department itself."

The attorney general said the same situation pertained elsewhere in the federal government where "very few Negroes were employed above a custodial level."

"The federal government is taking steps to correct this," he said.

In his speech, he referred to the university's two Negro students.

CHALLENGE AIM OF MIXED GROUP

15 Bound for N.O. to Attack Segregation

WASHINGTON (AP) — An interracial group, traveling by regular interstate buses, left Thursday for the deep South to challenge bus terminal restaurants, rest rooms and similar facilities.

The seven Negroes and six whites plan to reach New Orleans on May 17 after numerous stops, including Jackson, Miss.

They plan to join a May 17 rally in New Orleans marking the seventh anniversary of the supreme court decision banning segregation in public schools.

Must Pup Insrt A Sink TELE

Coast Guard Cmdr. W. T. Corfield, officer in charge of marine inspectinn and captain of the port, questioned the survovirs aboard the rescue vessel and later ruled the sinking accidental.

Corfield said Sheldon was blameless for what he termed "a freak accident."

James Farmer, 41, New York city Negro, national director of the Congress of Racial Equality.

CORE, the sponsoring group, told a news conference the project will be a sit-in on on wheels designed to discourage segregation in the bus station facilities.

Albert Bigelow, 55-year-old Cos Cob, Conn., architect, who served 60 days for attempting to sail the ketch Golden Rule into a restricted Pacific area to protest the Eniwetok H-bomb tests, was among the six whites.

Bigelow and his crew were arrested in 1958 and Bigelow was convicted of a criminal conspiracy charge in connection with the incident.

"If there is arrest, we will accept that arrest, and if there is violence, e aere willing to receive that violence without responding in kind," Farmer told his news conference.

"We will not pay fines because we feel that by paying money to a segregated state we would help it perpetuate segregation."

He said any memberof the specially trained group who might be arrested during the Washington-New Orleans trip, would be replaced by reserve riders.

Bob Kennedy says South has challenge

ATHENS, Ga., May 6—(AP)—Robert F. Kennedy, making a major address as attorney general, told a Georgia audience today civil rights statutes would be vigorously enforced.

He spoke at the University of Georgia, where students rioted last January when two Negroes were admitted.

One of the Negroes, Charlayne Hunter, who is studying journalism at the school covered the speech for The Atlanta Daily World, Negro newspaper.

Kennedy said the federal government would not threaten but would try to help bring about observance of civil rights statutes.

"We will not persecute, we will prosecute," he said.

"WE WILL NOT make or interpret the laws. We shall enforce them vigorously without racial bias or political slant."

Kennedy appealed to all sections to breathe meaning and force into law. He said the South, perhaps more than any other section, has the opportunity, challenge and responsibility of demonstrating America "at its full potential for liberty under law."

"We just can't afford another Little Rock or New Orleans," he said.

The Kennedy Record

The New York Times

Review of First 70 Days Shows Most Notable Gains to Be in Foreign Policy

New York

By WALLACE CARROLL

Special to The New York Times.

WASHINGTON, March 30 — President Kennedy rests in Florida and Congress has dispersed for the Easter holiday. Thus, this capital has a few moments of unaccustomed leisure to look back on the first seventy days of the Kennedy Administration. 3-31-61

News Analysis

Perhaps the most notable accomplishment has been a change of style and emphasis in foreign policy. At home, the President has undoubtedly gained ground, despite some disaffection among Roman Catholic voters over his school bill.

In Congress, he and the Democratic leadership still hold the initiative. This Congress is in no mood for heroics, and the President has no intention of pressing it to accept some of the far-ranging economic and fiscal reforms that he and his advisers have close to heart.

But there is a goor prospect now that Congress will help him pay a substantial installment on his campaign promises in the economic and social field.

It is on the world scene, however, that the Administration seems to have made its most significant departure. Many of its efforts seem to have been designed to erase a widely held image of this country as an insecure giant brandishing an atomic bomb and arguing morosely to large areas of the world that anyone not with him is against him.

Put another way, the Administration has been trying to exorcise the ghost of John Foster Dulles who, as Secretary of State from 1953 to 1959, made the threat of nuclear war an explicit element of this country's foreign policy and treated the neutralist counties with coldness, if not contempt.

In concrete terms, President Kennedy has curbed the civil and military spokesmen whose threats and polemics often strengthened the feeling abroad that this country shared responsibility with the Russians for having prolonged the "cold war."

At the same time, in the Geneva talks on banning nuclear tests, in the United Nations and in direct communication with Premier Khrushchev he has taken steps to show the world that the United States is ready to negotiate in good faith on the issues that trouble everyone.

And, in concert with the European Allies, he has turned southward to offer the nations in the early stages of industrial development the means to advance into the world of the twentieth century.

These and other actions in the same direction are believed here to have produced favorable effects on the climate of world opinion.

On the other hand, the Administration's first experiences with the Russians have been less satisfactory.

On the most acute issue, Laos, Premier Khrushchev seems to hold the whip hand. The Russians are playing a game, war by proxy, at which they excel, and they are playing it far from their own frontiers.

For the cost of some surplus arms, they are threatening to involve the United States in a war that it does not want and that its major Allies want still less.

It would be a war, moreover, that would undo the goodwill the Administration has been building in the uncommitted countries, and it would distract the United States from the constructive effort it proposes to undertake in Latin America, Africa and other under-developed areas.

The opinion in embassies here is that President Kennedy has met this unpromising situation with skill. For one thing, it is felt, he has convinced European and Asian governments that this country wants a genuinely independent and neutral Laos.

As a result, it is believed, the Russians can try to prolong the fighting in Laos only at the risk of affronting many in Europe and Asia who formerly were critical of American policy.

Even so, it is widely felt here that the most the Administration can hope to get in Laos is a coalition goverment, in which the Communists would be represented, or a partitioned country like Korea or Vietnam.

The real tests for the Administration, with Congress as with the Soviet Union lie ahead. What can be said now is that this skeptical capital is more impressed with Mr. Kennedy than anyone expected it to be seventy days ago.

KENNEDY FAMILY HAS EXTRA GUARD

More Precautions Taken at Palm Beach as Result of Reported Cuban Plot

By W. H. LAWRENCE

Special to The New York Times.

PALM BEACH, Fla., April 2 —Increased security guards protected President and Mrs. Kennedy at Easter services today at St. Edward's Roman Catholic Church.

Secret Service agents and state and local policemen concentrated inside the church and the surrounding area. This was a precautionary measure, following a week-old report that an attempt would be made by Cuban followers of Premier Fidel Castro to harm the family during the services, or kidnap 3-year-old Caroline Kennedy.

The service passed without incident, and the Kennedys returned to the oceanside home of Joseph P. Kennedy, the President's father, for a family luncheon.

Enter by Side Door

Later, the President drove to Juno Beach for a round of golf at the Seminole Club. His foursome included Robert Sweeney, former British amateur champion; Earl E. T. Smith, financier and former Ambassador to Cuba, and Chris Dunphy, a long-time family friend.

While the White House had labeled the investigation of the alleged plot against the Kennedys as "strictly routine," it was evident that the Secret Service was taking no chances.

The President and his wife, who attended the 10 A. M. mass, entered the church by a side door, thus avoiding a crowd of about 1,000 outside.

Inside, authorities had roped off eight seats in two pews for the Presidential party. However, Mr. and Mrs. Kennedy quietly slipped into two seats on another side of the church, which was packed with 800 worshipers.

Mrs. Kennedy remained in her seat as the President joined other for communion.



The New York Times

Mon 4-3-61

Associated Press Wirephoto

EASTER IN PALM BEACH: President and Mrs. Kennedy leave St. Edward's Roman Catholic Church after mass.

She wore a pale-blue, silk shantung two-piece dress with a straight skirt and collarless overblouse, which had three-quarter-length sleeves. She had a pale-blue pillbox hat and beige gloves. The President was hatless, as usual, and wore a dark-blue, pin-striped suit.

The sermon was delivered by the Rev. Lawrence Haber, assistant pastor.

Meanwhile, many Kennedy children here for the holiday had an Easter egg hunt and a party.

The President plans to return to Washington Tuesday afternoon. He will begin policy talks with Prime Minister Macmillan the next day.

34d 1961

DEMOCRATIC

Political Roundup

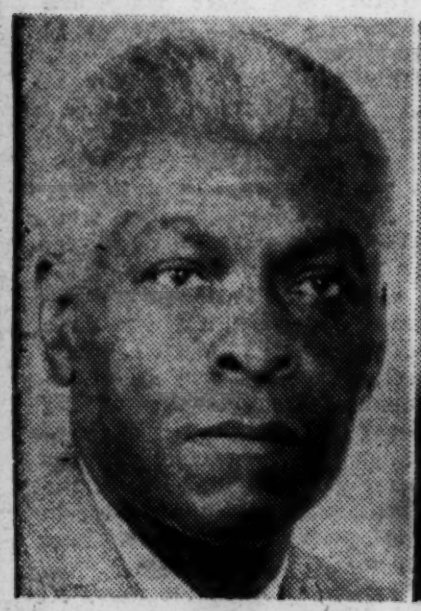
The Pittsburgh Courier

750 Negroes Being Mulled By Democrats

Pittsburgh, Pa.
Sat. 2-25-61 p. 4
34d

(Courier Press Service)

WASHINGTON, D. C.—More than 750 ~~names of~~ Negroes are now being processed by the ~~Democratic National~~ Committee, this reporter has learned from unimpeachable sources.



DR. BENJAMIN MAYS
. . . Israel Ambassador?



DR. RALPH BUNCHE
. . . Italian envoy?

And . . . as the names are "cleared" . . . a veritable landslide of new appointments for the "New Frontier" will result. Dame rumor has it that several Negroes are under strong consideration for ambassadorial posts in Europe and Africa.



Mrs. Payne

The past week, saw four new names added to the growing list of Democratic appointments. They include:

■

FRANKLIN C. WITTAKER, assistant to the Director of Public Information, Department of Commerce, at $13,730 per year. Whittaker is publisher of The Pittsburgh Courier.

• ARTHUR CHAPIN, Montclair, N. J.—Minority Consultant in the Department of Labor. Chapin has been with the Democratic National Committee for two years.

• KERMIT BAYLOR, Detroit, Mich. — heads Housing Section of the Civil Rights Commission.

• HOBART TAYLOR, Detroit, Mich.—director, President's Committee on Government Contracts.

Mentioned as possibilities for assignment to European and African embassies are:

• DR. RALPH BUNCHE — Ambassador to Italy.

• DR. BENJAMIN MAYS— Ambassador to Israel.

• CLIFTON WHARTON— Ambassador to Denmark or some other European nation.

• DR. IRA J. K. WELLS— Ambassador to an African nation.

Appointment of Dr. Bunche would not be too surprising. His training and background make him eminently qualified. He has been sought for many years by the State Department, and some insiders insist his usefulness to the United Nations is being questioned.

Another rumor, however, persists that he might be a "compromise" candidate for the post of Secretary-General of that international organization, considering the rising importance of the African Continent in world affairs.

■

AS FOR DR. MAYS, president of Morehouse College and long-time Courier columnist, his appointment would cap a long and brilliant career as educator, theologian and world figure.

Another appointee possibility is Ethel Payne, AFL-CIO functionary in COPE, who is being mentioned for a high-ranking post. Mrs. Payne, a former newspaper woman, is currently an AFL-CIO labor writer.

Also here last week, for conferences was Atty. Cecil Poole of California, Appointments Secretary for Gov. Pat Brown. Poole is being considered for U. S. District Attorney for Northern California or a Federal judgeship.

• In the meantime, Delmas Escow, associate counsel for the Committee on Constitutional Rights, who worked in the job under the late Missouri Sen. Thomas Hennings, has been given the old heave-ho.

Escow's fate was sealed, when the chairmanship of the group was handed over to North Carolina's Senator Ervin.

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THE FATE of another committee staff member, Belva Simmons, has not as yet been ascertained. She has already turned down the offer of a transfer to another job in the office of Senator Long.

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THE U. S. SENATE'S Foreign Relations Sub-Committee on African Affairs, has been placed under the chairmanship of Sen. Albert Gore.

• Senator Gore, who hails from Tennessee, succeeds President Kennedy in this post.

In accepting his post, Senator Gore said, "The work of this subcommittee will be critical and interesting. The whole continent of Africa has burst forth in a surge of nationalism and independence.

"The importance of maintaining the friendship of the new African nations must not be minimized. I shall do the best I can in this delicate post."

Penna. Demos Tap Bradley As Treasurer

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 4-15-61 p. 4
34d

HARRISBURG, Pa. — Andrew M. Bradley of Bedford and Harrisburg, has been elected treasurer of the Democratic party in Pennsylvania.

• Mr. Bradley was elected to office because of a vacancy created by the retirement of J. Warren Mickle, who has been suffering from a long illness.

First Negro ever appointed to the cabinet of the Commonwealth of Pennsylvania, Mr. Bradley is state secretary of property and supplies.

■

OTIS B. MORSE of York, Pa., was elected chairman of the Democratic party over former Lieutenant Governor Roy E. Furman of Waynesburg, who received three votes. Mr. Morse succeeds John S. Rice of Gettysburg, as the new state party chairman.

Mr. Rice was recently named the new U. S. Ambassador to the Netherlands.

Negroes Try To Attend Demo Rally

The Atlanta Journal and Constitution
Sun. 4-23-61
p. 19

COLUMBIA, S.C., April 22 (AP)—A group of Negro Democrats is making a determined effort to attend the April 26 South Carolina Democratic Party fund-raising dinner at the Wade Hampton Hotel here.

Fourteen Negroes from throughout the state have sent $20 reservation checks to state party officials for tickets.

Copies of an accompanying letter to State Democratic Party Chairman E. P. (Ted) Riley of Greenville have been sent to U.S. Atty. Gen. Robert Kennedy and to Secretary of Commerce Luther Hodges, who is to address the dinner gathering. Atlanta

In a covering note to Kennedy, John H. McCray, chairman of the South Carolina Progressive Democrats, a Negro political organization, said "We anticipate the checks will be returned and the request for reservations refused."

* * * Ga.

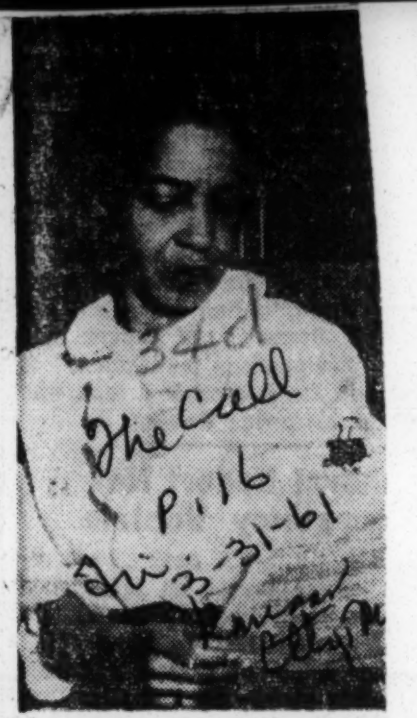
McCRAY SAID the applying Negroes are "morally and legally entitled to attend." He said Negro Democratic voters in the state have kept South Carolina in the Democratic column for the last four presidential elections.

McCray told the attorney general that a 1948 federal court case opened "all phases" of Democratic Party activities to Negroes.

He noted that Negroes participate in precinct meetings and in county and state Democratic conventions in South Carolina.



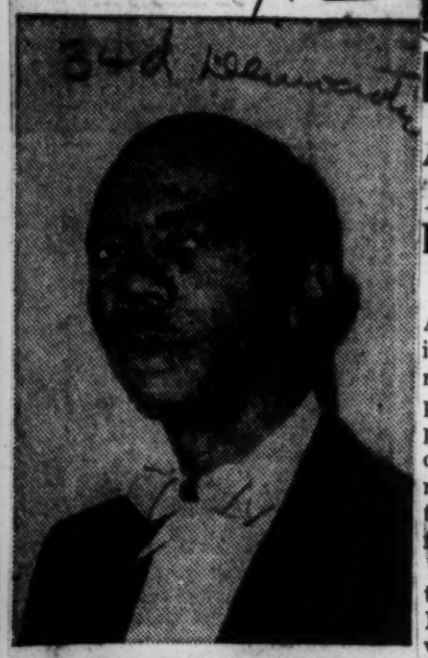
PRESIDENT JOHN F. KENNEDY shown delivering his eagerly awaited speech at recent $100 a plate Democratic Party dinner at McCormick Pl. The affair was completely sold out. Other photos in montage shows (lower left) Mayor Richard J. Daley chatting with Ald. Keane. Second photo reading up is security guards at affair, followed by Negro guests and at top, Mr. Kennedy at airport on way gack to Washington. At right, lady guest followed by picture of Ald. Claude Holman and his guests. Juge Fred W. Slater is shown in next panel with his guests while at right, top, Ald. Ralph Metcalfs and Mrs. Metcalfe enjoy affair. Below them are secret service agents while in next shot looking downward are Rep. William L. Dawson and Senator Paul H. Douglas in a huddle. At bottom is Ald. Robert H. Miller and party. Beatty photos



CAPTAIN. — Captain-at-large is the title held by Mrs. Celestine Evans, pictured above. Mrs. Evans, the first Negro to hold such a title in Denver, was appointed recently at a meeting of the Democrats at the West high school, by Robert Appel, county chairman of Denver. The photo was taken at the County Court office, in the closing department where Mrs. Evans is now employed. In next week's issue, by public demand, photos will be shown of the progress of Denver Negroes in the City and County building. McCloud Photo.

McNeely To Attend Inauguration

An impressive 11x8 inaugural invitation was received this week by local and state Democrat J. Thomas McNeely who is busily



J. THOMAS McNEELY

preparing to attend the Capital city inaugural events Wednesday through Friday, Jan. 18-20.

McNeely will leave the city via the airlines Tuesday, Jan. 17, for Washington, D. C., where he plans to attend at least three of the sueical events planned during the 3-day inaugural activities.

A staunch Democrat supporter, McNeely campaigned vigorously for President-elect Kennedy during the pre-election months. In Washington, he will represent the Democratic State Central committee.

Plan Numerous Events

Among the numerous events comprising the capital city event are: receptior for the ladies and a reception honoring Vice President-elect and Mrs. Lyndon B. Johnson, and a Young Democrat reception and dance, Jan. 18; a governor's reception by invitation only, inaugural concert and a Democratic Gala, Jan. 19. The official inaugural ceremony will take place at 12 noon Friday, Jan. 20, and will be followed by the historic Inaugral ball that night.

Prices for seats at the inaugural ball run like this: $25 per person, boxes for eight, $320; and per person box seats, $40.

Negro Women Prepare Paper For Kennedy

ACHR Calls Attention To Unused Reservoir Ready For Govt. Jobs

Washington, D. C. Jan. 23 — A group of 34 women representing the American Council on Human Rights have agreed to prepare a "Position Paper" to be presented to President Kennedy calling his attention to the tremendous and unused reservoir of talented Negro women available for government service.

The group appointed a committee to provide background data on Negro women of various skills whose services could be used to implement the program of the administration.

The ACHR conference here was an outgrowth of a political workshop and leaders conference held last October, to which both Presidential candidates John F. Kennedy and Richard M. Nixon were invited to speak.

At the workshop Kennedy outlined his concept of the "New Frontier" and the Democratic platform, but Nixon disappointed his audience by failing to show up.

Dr. Marjorie Parker, president of ACHR, said the position paper to be presented to the new President would deal with equal opportunities in voting, employment, housing and education.

Marian Anderson Lone Negro On Inaugural Stand

WASHINGTON, D. C. (ANP) — Concert singer Marian Anderson, a former alternate delegate to the United Nations, had the distinction of being the only Negro seated among the ultra-select group of guests on the rostrum during the inauguration of President John F. Kennedy last Friday noon.

Miss Anderson was seated along with such other prominent Americans as former President Eisenhower and Mrs. Eisenhower, former Vice President and Mrs. Nixon, former President Truman and Mrs. Truman; Chief Justice Earl Warren and other justices of the U.S. Supreme Court, and Archbishop Richard J. Cushing of Boston, who gave the invocation.

Dr. And Mrs. Stewart Attending Inaugural Ball In Washington

Dr. and Mrs. R. C. Stewart, of 810 Goldwire St., S. W., were due to be in Washington, D. C., Jan. 20 for the Inaugural Ball given in honor of President and Mrs. John F. Kennedy.

In addition to the Inaugural Ball the Stewarts had invitations to attend the Governors' Reception and the Distinguished Women's Reception.

Mrs. Stewart is the sister of Mrs. Elizabeth W. Reeves, wife of Atty. Frank Reeves, the latter National Democratic Committeeman from Washington, D. C. Atty. Reeves was also a member of the campaign staff of Senator Kennedy when he was battling for the presidency.

Both Mrs. Reeves and Mrs. Stewart are Delta women.

Atty. and Mrs. Reeves were guests of Dr. and Mrs. Stewart the past summer. The visitors were the recipients of many courtesies while in Birmingham.

Mrs. Reeves is serving as hostess at the three receptions.

VARIETY IN SOCIETY

By MARJORIE FOWLKES

WITH INAUGURAL GUESTS

MR. AND MRS. JULIUS E. GAINES, of Ashby Circle, N.W., are among the invited guests at the inauguration of President John F. Kennedy. The Gaineses were all smiles when they received an official invitation from the Inaugural Committee to attend the outstanding occasion. The invitation, sent out by special mail, was enclosed in an extra large envelope, a gold engraved invitation, with special cards or tickets having the faces of the president and vice president and the United States seal enclosed with the invitation, numbers being on the upper left hand corner of each invitation.

The whirl of events started Wednesday with the Reception for Distinguished Ladies at the National Art Gallery, the Reception for Vice President and Mrs. Lyndon Johnson at the Statler-Hilton Hotel and the Young Democrats Dance at the Mayflower Hotel on through the Governors' Reception Thursday at the Sheraton Park Hotel Thursday and Concert at Constitution Hall and the Official Ceremony at the Capitol at Noon Friday followed by the Parade of States and the Grand Ball at the Armory.

Mr. and Mrs. Gaines are houseguests of the William H. (Buster) Rivers in Washington. The couple are journeying on to New York for a visit with their sons-in-law and daughters and grand children, Mr. and Mrs. Joseph Whiten and three children and Mr. and Mrs. Arnold Lynch and three children.

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REV. AND MRS. WILLIAM J. FAULKNER of Chicago and a former Atlantan, was the recent overnight guest of the Walter Aikens. A few old acquaintances were able to chat with the couple who were enroute to Miami to visit with relatives.

THE YEAR 1961 will see many conferences and conventions in Atlanta.

The city will be host to the American Conference on Human Relations.

The G.T.E.A. will convene here in April.

The State Library Consultants, Miss Margaret Walker, supervisor, have made plans for a Drive-In Work Conference here.

Kappa Alpha Psi and Alpha Phi Alpha fraternities are making plans for regional conferences.

An annual Presbyterian conference is set for February.

North Carolina Mutual Insurance Company is holding a conference next weekend.

THE REGULAR FELLOWS will entertain on Friday night, Feb. 3.

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THE G. I. G.'s danced with guests on Thursday night.

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THE BUTLER BAKER SCHOOL FACULTY of Eatonton, Ga., dance Saturday night at the Waluhaje.

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THE JACK AND JILL ALL-Charity dance is set for February 10 at the Waluhaje.

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CIVIC - MINDED ATLANTANS attended the workshop of the Metropolitan School Development Council held at City Hall on Monday and Thursday to teach illiterates.

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EPSILON ZETA CHAPTER of Zeta Phi Beta Sorority meets Jan. 21 at 4:30 p.m. at the home of Mrs. Freddye Henderson, 1691 Simpson Road, N. E. Other hostesses for the month include Mesdames Nannie McCormick, Marie Banks, Earnestine Gaither, and Mabel Sanford Lewis. Doris Andrews is basileus of the chapter.

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PRINCE HALL MASONIC GRAND MASTER John Wesley Dobbs is vacationing in Key West, Florida. He is accompanied by Joseph Phenizee.

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THE FEDERATED COUNCIL OF CLUB WOMEN will honor all club presidents Jan. 29 at 5 p.m. at Allen Temple Church. Mrs. Dollie Alexander, president; Mrs. William Holmes Borders, vice president.

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THE SIX O'CLOCK BRIDGE CLUB will meet Jan. 27 at the residence of Miss Dora McDonald on Sharon St. This will be a business meeting. Miss Hazel Vaughan is club president.

ROY THOMPSON is improving at Hughes Spalding hospital. He suffered a broken leg when struck by an automobile. The leg bone required resetting recently.

But They Take No Action

The Pittsburgh Courier

Negro Leaders In Big Numbers At Inauguration

Pittsburgh, Pa.

Jan 1-28-61

L 3 34d

(Special to The Courier)

WASHINGTON, D. C.—Negro political leaders of the Democratic party, from every section of the nation, converged on this city, as 43-year-old John Fitzgerald Kennedy became the 35th President of the United States.

The inaugural festivities were completely integrated.

Negroes were housed in every big hotel in the city. They were conspicuous by their appearances at all the affairs—from the $100 gala, to the smallest and most intimate parties.

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BUT AS FAR as this reporter was able to find out, there was no "meeting of the political minds" of Negro leaders.

Early talk of a caucus of Negro democratic big-wigs was just that—and nothing more.

Speculation was rife as to the absence of any collective political action.

It appeared that no one appeared "bold" enough to call a session at this time, when those people who had worked so hard for a Kennedy victory were there in vast numbers.

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MANY FELT that Congressman William L. Dawson, 74-year-old dean of Negro politicians, should have spearheaded the movement for calling the leaders together.

Others felt that the Dawson-Powell combination should have called the meeting.

But these same people who advanced the first thought, also voiced the belief that a meeting of this type could very easily have gotten "out of hand."

Newcomers to the political scene, including Frank Reeves and Mrs. Vel Phillips, national committee representatives, and Mrs. Marjorie Lawson, appeared reluctant to take the initiative, for fear that their actions might have been misinterpreted.

As the days passed, from Tuesday through Friday, it appeared that the Negro leaders from various sections of the country, were interested mainly in their own areas.

They left the over-all problems to others, and appeared satisfied to do so. Then, too, many of the leaders are openly seeking political posts for themselves, and were cautious not to offend those who carry weight with the Kennedy administration.

Thus, there was complete and total political inactivity, except from a social standpoint.

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DESPITE LACK of political conferences, several things of national import came through during numerous informal discussions.

1.—Unless Negro political leaders move, and move fast, the NAACP might be forced to furnish action leadership for Negroes.

2.—There is general optimism that President Kennedy will exert the tremendous weight and influence of his office to force continued action in the field of civil rights.

3.—The conservative Southern-dominated House Rules Committee won't be able to bottle up liberal legislation, but the same road barriers will prevail in the U.S. Senate.

4.—Negro lawyers are determined to seek opportunity to represent emerging African nations, and want their share of the new Federal judgeships, particularly in New York (15 per cent Negro), Philadelphia (27 per cent Negro), Chicago (19 per cent Negro, and Washington, D. C. (52 per cent Negro).

5.—More and dramatic representation in the State Department, not only in Africa, but in Europe and South America as well.

There is one other vital area where Negroes feel they merit recognition. This is in the field of public relations. Those in the know point out that many white PR firms receive lush contracts from nations throughout the world to "sell" the image of these countries to the American public.

With the emphasis today on Africa, it is said that Negroes could do this job as well as others, if given the opportunity.

■

DESPITE the lack of a "meeting of the minds," t' ere is complete optimism about the Negro's future in government under the Kennedy team.

Despite the fact that out of some 90 appointments thus far only three have been Negroes, they point to the quality of the appointments, and are unanimous in the belief that Negroes will be named, in short order, to a number of vital key posts.

They know about Kennedy's promises. They have no reason to doubt his word. They believe he will be aggressive and intelligent, and will give the nation the firm, positive leadership so often lacking during the past eight years.

■

THEY LIKE the make-up of his hand-picked cabinet. It has the "liberal" stamp.

They feel President Kennedy has a cabinet of dedicated government officials who will work with him. This is important, because it will take a strong hand to guide and direct this cabinet.

Under especially strong scrutiny will be the work of Attorney General Kennedy, the President's brother, to continue the string of civil rights battles which is scuttling the South, and their hide-bound segregationist positions.

This is the "New Frontier" of the Kennedy administration, and Negroes will watch the unfolding panorama with hope and confidence.

But their main objective first class citizenship—cannot be sidetracked.

They know that their vote was one of the determining factors in making Kennedy President of ALL Americans.

Kennedy No Radical, Vinson Says

The Atlanta Constitution

Atlanta, Ga.

WASHINGTON (UPI) — Rep. Carl Vinson, D-Ga., who helped Speaker Sam Rayburn smash a threatened conservative blockade against President Kennedy's legislative program, said Thursday Kennedy is no more a radical than he is himself.

Jan 28 1961

34

"We need have no fear that Kennedy will sponsor left-wing legislation," the veteran Georgia lawmaker said.

Dem

"He is essentially a conservative, thoughtful, but at the same time progressive, leader," Vinson said in a letter replying to a constituent who criticized his role in the rules fight.

"He is sound and capable and in my opinion will go down in history as one of the great presidents of this country."

In a hot House fight on Jan. 31 most Southern Democrats voted against Rayburn's plan to enlarge the Committee on Rules and thus end its control by a conservative coalition. Vinson teamed up with Rayburn, however, and helped carry enough other Southern votes with him to put across the change.

Vinson defended Kennedy in a letter to Emmet G. McKenzie Jr., a Macon, Ga., businessman.

Vinson said defeat of the Rayburn plan "would have been tantamount to handing over leadership of the House to a combination of the Rules Committee and the Republican Party."

"Imagine what effect this would have had on the prestige of President Kennedy, and what would the chanceries of the world have said, if, on the very threshhold of his assumption of duties as President, his own party had refused his legislative proposals even before they had been submitted," Vinson said.

Vinson said there would be no use for House legislative committees—such as the Armed Services Committee, which he heads—if the Rules Committee "can take upon itself the virtually absolute right to say whether the House can or cannot vote on a particular measure."

McKenzie had said Vinson must have been under great pressure preceding the vote and that he was sure Vinson knew most of his constituents did not agree with his stand.

On this point, Vinson replied:

"Your letter mentions the pressures which I was subject to in the period preceding this vote. You are entirely correct. And by whom were those pressures exercised? By the National Association of Manufacturers, by the American Medical Association, by the United States Chamber of Commerce, and by a number of other organizations of the same political thinking.

"The pressures did not come from the people themselves but only from these ultra-conservative business and professional organizations. I have made it a practice during my service in Congress to listen to the people whenever I can hear them over the noise generated by the professional pressure groups. I think I heard them rightly this time."

Prayer at Mass Tells Kennedy Of Desegregation in Middleburg

The New York Times

Pastor Breaks News of Lunch-Counter Accord in Which President Figured Indirectly—Sit-In Called Off

Mon 4-10-61

P. 19

MIDDLEBURG, Va., April 8 (AP) — President Kennedy learned through a prayer at mass today of the quiet integration of three lunch counters here. He had figured unknowingly in the event.

Negroes were served for the first time yesterday at two counters. Had they been refused service, town authorities said, sit-in demonstrations were planned to coincide with Mr. Kennedy's presence. The Negroes reportedly were ready to picket at the church services attended by the President.

The Rev. Albert F. Pereira, the President's pastor, served as arbitrator between Negro spokesmen and proprietors of a sandwich shop and two drug stores with counters. Father Pereira mentioned the settlement in his prayer today and in the church bulletin.

Asks Rejoicing

While the President and Mrs. Kennedy listened, the priest read a prayer that said:

"Eastertide is a time for joy, joy in our unity by baptism in Christ. Hence, it is so appropriate that we rejoice today that the first bridge of understanding between the races has been crossed gracefully.

"We should like publicly to thank the ministers, the officials, the drug store owners and operators for their cooperation; the fine Negro leadership for its patience and understanding in amicably working out the first phase of broadening the association and communication between the races.

"Further, we should like to solicit your prayers at mass today, your active support from now on, out of love for the risen Christ, in a program of more communication, of more sharing, of more granting of rights to the Negroes of our community and country so that they may become truly first-class citizens both in what they receive as well as in what they give."

3 Weeks of Negotiations

Father Pereira said later that Mr. Kennedy had not known of the three weeks' negotiating that preceded the agreement to integrate the lunch counters, or of the outcome of the arbitration.

"I wouldn't have dared tell him anything about it," he said.

Some Middleburg residents said the town had been chosen by Washington Negroes for an integration attempt because the President had a retreat just outside.

The integrationists, these residents said, reasoned that merchants would be reluctant to embarrass the President by provoking sit-ins or picketing at the community center used for Roman Catholic services.

Protestant ministers also announced the integration move in sermons.

Mixing In Virginia Is Attributed To Visit Of Kennedy

Jackson Daily News

Jackson, Miss

Mon 4-10-61

MIDDLEBURG, Va. (UPI) — President Kennedy's presence as a weekend resident here was credited today with speeding desegregation of restaurants in this small Virginia town.

P. 19

Middleburg restaurant owners said they now would serve any Negro who patronized their establishments.

Kennedy was spending the weekend here with his family when the integration was achieved — though not through any personal intervention. The President planned to return to Washington this morning.

The peaceful transition from segregated to non-segregated restaurants in Middleburg was accomplished by Kennedy's parish priest who acted as a mediator.

The Rev. Albert F. Pereira of Leesburg, Va., began negotiating for integrated eating places in Middleburg after Negroes threatened sit-in demonstrations timed to coincide with the President's visits to Glen Ora, the nearby estate he has leased.

Father Pereira was asked to arbitrate the racial dispute by William McKay Jackson, head of the local chapter of the National Association for the Advancement of Colored People.

There also were unconfirmed reports that a Negro servant from Kennedy's estate had been refused lunch counter services in town and the President had heard of it.

The President's first inkling of the priest's successful efforts was when he went to Mass Sunday. He heard Father Pereira thank the ministers, officials, drug store owners and Negro leaders of Middleburg for "amicably working out the first phase of broadening the association and communication between the races."

PASSES TEST

The new integration policy passed its first test Saturday when two young Negro men sat at the lunch counters of the Tally Ho Inn and the Middleburg Pharmacy, and were served.

The more elite restaurants also fell in line. Mrs. Nettie Michaelis, manager of the Red Fox Tavern, said that "everyone will be served on the same basis" in its dining room.

Louis C. Dimos, proprietor of the Coach Stop, said: "'I've decided to go along. It would be fighting a futile battle not to serve them."

Dimos said a "very important" man "way up" in the federal government had told Mrs. Dimos that it would be wiser not to offer any resistance. Dimos declined to identify the official.

34d 1961

DEMOCRATIC PRESIDENT KENNEDY

Kennedy's Report --The Highlights

The Atlanta Constitution

WASINGTON (UPI)—Highlights of President Kennedy's speech:

Why We Must Defend Berlin

The defense of Berlin is vital to the morale and security of West Germany, the unity of Western Europe and the faith of the entire free world.

"We do not want to fight. But we have fought before . . . we cannot and will not permit the Communists to drive us out of Berlin, either gradually or by force."

What We Must Do

Congress will be asked Wednesday for an extra $3.2 billion to pay for this military buildup:

Increase the Army's authorized strength from 875,000 to about one million men. Increase the Air Force by 63,000 and the Navy by 29,000.

Double and triple draft calls. (The August call was for 8,000 men.)

Order to active duty a number of air transport reserve squadrons and Air National Guard tactical squadrons. Other reserve forces and individual reservists will be mobilized if needed.

Planes and ships headed for mothballs will be kept on active duty or reactivated. The retirement of the B47 bomber will be delayed.

Preparing For the Worst

Congress will be asked Wednesday for an additional $207 million in civil defense funds for these actions:

Mark spaces in public and private buildings which could be used for fallout shelters. Stock these with food, water, first aid kits, tools, sanitation facilities and other survival items.

Increase the size of shelters and construct shelters in new government buildings.

Improve air raid warning and fallout detection systems. Place a warning device in every home.

How to Pay for This

Taxes will not be raised now.

But postal rates must be increased and tax loopholes closed. Government spending will be scrutinized carefully.

The aim is for a balanced federal budget for next year, financed by increased revenues from a prosperous economy.

"Nevertheless, should an increase in taxes be needed to achieve that balance in view of these or subsequent tax rises, those increased taxes will be requested."

Berlin Negotiations

"We shall always be prepared to discuss international problems with any and all nations that are willing to talk—and listen—with reason. If they have requests—not demands—we shall hear them. If they seek genuine understanding—not concessions of our rights—we shall meet with them. . . .

"We are willing to consider any arrangement or treaty in Germany consistent with the maintenance of peace and freedom, and with the legitimate security interests of all nations."

"Best Speech Since Lincoln....."

World Has New Hope As Kennedy Takes The Reins

Journal and Guide

Norfolk, Va.

Sat 1/28/61

WASHINGTON—(UPI)—President John F. Kennedy's inaugural speech has been hailed across the nation and around the world as offering new hope that "mankind's final war" can be prevented.

Democratic and Republican leaders praised the eloquent address Friday as "the best since Lincoln . . . classic . . . inspiring . . . non-political . . . a sincere approach to the foreign nation problems."

PRESIDENT Kennedy took office as the nation's 35th president with a plea for both sides in the cold war to "begin anew the quest for peace."

In a 1,300-word inaugural address, the new Chief Executive directed his remarks not only to his countrymen but to "my fellow citizens of the world."

"LET EVERY nation know," he said, "whether it wish us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend or oppose any foe in order to assure the survival and success of liberty."

Loyalty To Allies

He pledged this country's continuing loyalty of its long-time allies, support of the newly emerging republics, and a special consideration for its Latin American neighbors.

HE SUMMONED the world's peoples, both Communist and non-Communist, to a 'grand and global alliance" to combat "tyranny, poverty, disease and war."

To the hungry and miserable, the "peoples in the huts and villages of half the globe," he pledged help "not because the Communists are doing it, not because we seek their votes, but because it is right."

To the contending nations of East and West, he said: "Let both sides explore what problems unite us instead of belaboring the problems that divide us . . . Let both sides invoke the wonders of science instead of its terrors. Together let us explore the stars, conquer the deserts, eradicate disease . . ."

THE "ABSOLUTE power to destroy other nations," he said, must be brought under the absolute control of all nations."

Latin America

To the nations of Latin America Mr. Kennedy made "a special pledge" for "a new alliance" against poverty, aggression and subversion. And in an obvious reference to the new Soviet influence over Cuba, he said: 'Let every other power know that this hemisphere intends to remain the master of its own house."

"The torch," Mr. Kennedy said, "has been passed to a new generation of Americans-born in this century, tempered by war, disciplined by a cold and bitter peace, proud of our ancient heritage."

HE CALLED upon the "two great and powerful groups of nations," both possessors of H-bombs and continent-spanning missiles, to join in creating "not a new balance of power, but a new world of law where the strong are just and the weak secure and the peace preserved forever."

He said this will not be accomplished in the first 100 days or the first 1,000 days or even "in the life of this administration." It may not be accomplished "in our lifetime on this planet," he added. "But," said the new President, "let us begin."

THE PRESIDENT pledged loyalty to America's "old allies." He welcomed new states "to the ranks of the free" and warned them against Communist tyranny. He pledged support to the United Nations and to efforts to strengthen and enlarge its functions.

Balance Of Terror

Mr. Kennedy rejected the notion of tempting adversaries "with weakness . . . for only when our arms are sufficient beyond doubt can we be certain beyond doubt that they will never be employed."

But he also rejected the "balance of terror" concept of keeping the peace in a time periled by "the deadly atom."

"SO," HE SAID, "let us begin anew — remembering on both sides that civility is not a sign of weakness, and sincerity is always subject to proof.

"Let us never negotiate out of fear. But let us never fear to negotiate . . . let both sides, for the first time, formulate serious and precise proposals for the inspection and control of arms— and bring absolute power to destroy other nations under the absolute control of all nations."

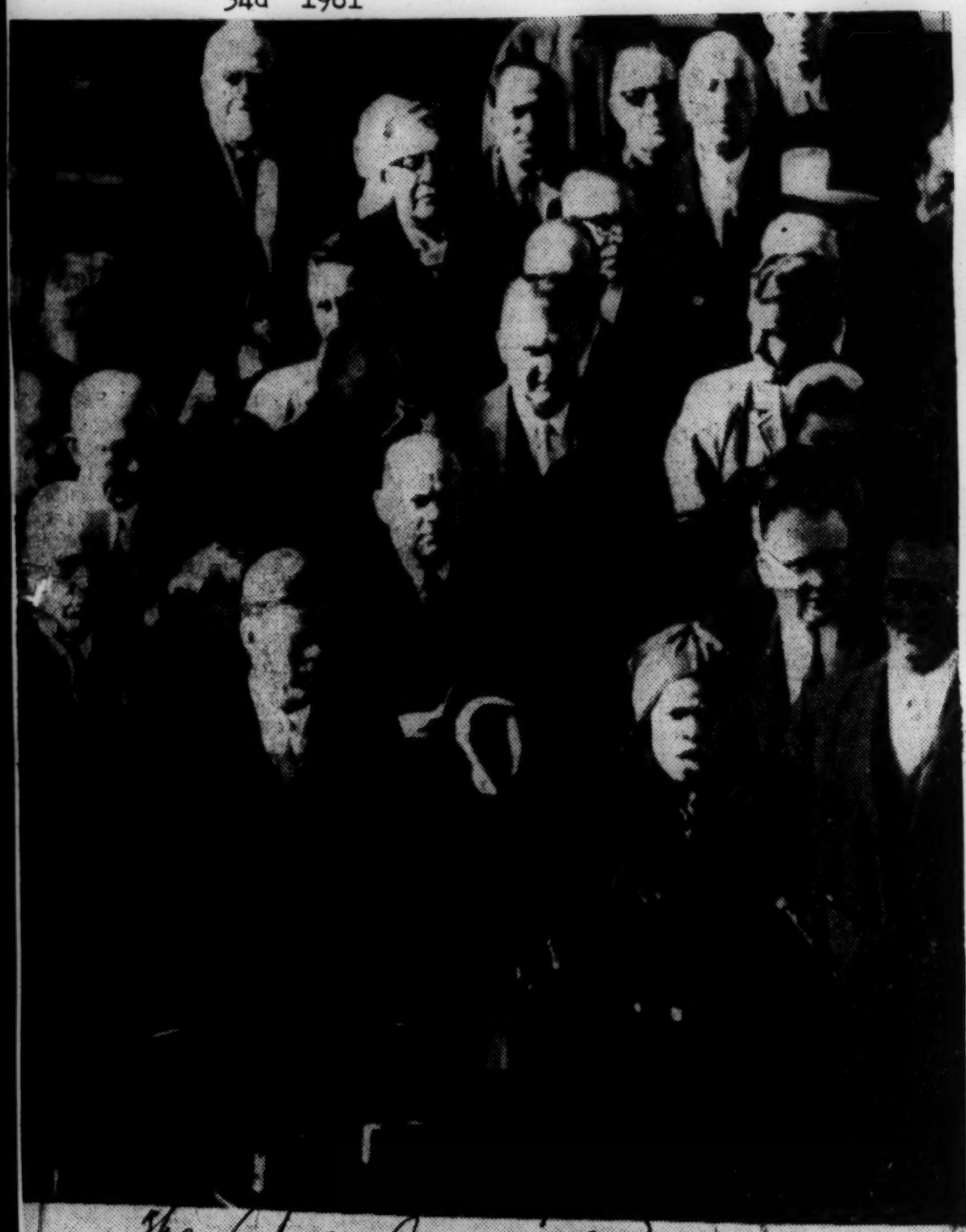
TO HIS fellow Americans Mr. Kennedy said: "Ask not what your country will do for you—ask what you can do for your country."

To his "fellow citizens of the world" he said: "Ask not what America will do for you, but what together we can do for the freedom of man."

"Ask of us the same high standards of strength and sacrifice that we shall ask of you."



PRESIDENT JOHN F. KENNEDY
Eyes Of The World On The White House



The Afro-American Baltimore, Md. Sat. 1-28-61 2nd Comm. PRESIDENT OF THE

MARIAN GETS HELP — President John Fitzgerald Kennedy, at left, adds tenor voice as Marian Anderson sings the "Star Spangled Banner" during inauguration ceremony.

Sworn in as 35th President

The Afro-American Baltimore, Md. Sat. 1-28-61 1st Edit. 24d

By LOUIS LAUTIER

WASHINGTON (NNPA) — With high hopes among colored people across the nation, John Fitzgerald Kennedy of Massachusetts was inaugurated shortly after noon Friday on the steps of the Capitol as the 35th President of the United States.

Some 10,000 persons in front of the Capitol and millions who watched on television throughout the country were surprised to see President Kennedy's lips moving as he joined in with Marian Anderson's rendition of the Star Spangled Banner.

Miss Anderson was accompanied by the Marine Band.

IMMEDIATELY AFTER he took the oath, he delivered his inaugural address in which he declared:

"Let the word go forth from this time and place, to friend and foe alike, that the torch has been passed to a new generation of Americans — born in this century, tempered by war, disciplined by a cold and bitter peace, proud of our ancient heritage — and unwilling to witness or permit the slow undoing of those human rights to which this nation has always been committed, and to which we are committed today."

Before the oath was administered to President Kennedy, Vice - President Lyndon B. Johnson of Texas took the oath of office. The oath was administered by his long-time friend and political advisor, Speaker of the House Sam Rayburn.

THE SHORT program scheduled to begin at noon, was about 20 minutes late in getting started. The delay was occasioned by the seating of platform guests. At one point, President Kennedy and his escort started to go out on the platform but were stopped and turned back to the Capitol office in which he waited.

Accompanied by outgoing President Eisenhower, President Kennedy left the White House at 11:30 a.m. They rode down historic Pennsylvania Avenue side by side in a bubble-top limousine and chatted amiably. The scene was in contrast to that of eight years ago when outgoing President Harry Truman and incoming President Eisenhower rode over the same route.

In 1952, Mr. Eisenhower was miffed because he thought President Truman had gone too far in political attacks on him. When he arrived at the White House, he would not get out of his car and go in to greet Mr. Truman. The Missourian considered this an affront.

But the transfer of government this time took place in a cordial atmosphere. Mr. Eisenhower and Mr. Kennedy twice conferred on the changeover before the inauguration.

* * *

ON THE DAY before inauguration, Mr. Kennedy spent more than two hours canvassing international problems with Mr. Eisenhower. The meeting, the second between them since the election, was warmly cordial.

After Mr. Kennedy and Mr. Eisenhower arrived at the Capitol, they continued their animated conversation, even after they had gone on the platform. Several times during President Kennedy's address Mr. Eisenhower smiled approvingly.

Ex-President Truman sat immediately behind the point where Mr. Kennedy took the oath. Outgoing Vice President Richard M. Nixon was a couple of seats away. The amiability, which marked the occasion, even extended to them and they engaged in friendly conversation.

Pat. 1-28-61

EX - PRESIDENT HERBERT HOOVER, the oldest of the three living former Presidents, had to forego attending the inauguration. His plane hovered briefly over National Airport Thursday evening during a snowstorm and he decided to return to Miami.

As Mr. Eisenhower marched to the platform, the United States Marine band struck up "Hail to the Chief." This was the last time Mr. Eisenhower was to hear this march in his honor. From now until another President is inaugurated, it will be President Kennedy's theme tune.

Vice President Johnson was then escorted to the platform by Senator John J. Sparkman of Alabama, chairman of the Joint Congressional Inaugural Ceremonies Committee.

President Kennedy was escorted by Senator Carl Hayden of Arizona, the president pro tempore of the Senate, and Speaker Rayburn.

Senator Sparkman presided. The Marine band played "America the Beautiful." Cardinal Cushing offered the invocation.

* * *

WHILE CARDINAL Cushing was praying, a short circuit caused a small fire in a heater under the lectern. After the short circuit was fixed, Marian Anderson sang "The Star Spangled Banner."

Prayer was offered by Archbishop Iakovos of the Greek Orthodox Archdiocese of North and South America, New York City.

After the oath was administered to Vice President Johnson, prayer was offered by Rev. John Barclay, pastor of Central Christian Church, Austin, Tex., and the elderly poet, Robert Frost, read an original poem written in the 1930's. The poem had been selected by Mr. Kennedy to be read at the inauguration.

The oath was then administered to President Kennedy and he delivered his inaugural address. The benediction was pronounced by Rabbi Nelson Glueck, president of the Hebrew Union College, Cincinnati.

NOT YET 44 years of age, Mr. Kennedy is the youngest man ever elected President.

Particularly to the new African states recently emerged from colonialism, Mr. Kennedy offered encouraging words. He said:

"To those new states whom we now welcome to the ranks of the free, we pledge our word that one form of colonial control shall not have passed merely to be replaced by a far more iron tyranny.

"We shall not always expect to find them supporting our every view. But we shall always hope to find them strongly supporting their own freedom — and to remember that, in the past, those who foolishly sought to find power by riding on the tiger's back inevitably ended up inside.

"to those peoples in the huts and villages of half the globe struggling to break the bonds of mass misery, we pledge our best efforts to help them help themselves, for whatever period is required —not because the communists are doing it, not because we seek their votes, but because it is right.

"If the free society cannot help the many who are poor, it can never save the few who are rich."

• • •

PRESIDENT KENNEDY also promised Latin American countries "to assist free man and free governments in casting off the chains of poverty" and to "join with them to oppose aggression or subversion anywhere in the Americas."

To the Soviet bloc he made the request that both the East and the West "begin anew the quest for peace, before the dark powers of destruction unleashed by science engulf all humanity in planned or accidental self destruction."

In his concluding remarks, President Kennedy declared:

"In the long history of the world, only a few generations have been granted the role of defending freedom in its hour of maximum danger.

"I do not shirink from this responsibility —I welcome it. I do not believe that any of us would exchange places with any other people or any other generation. The energy, the faith and the devotion which we bring to this endeavor will light our country and all who serve it — and the glow from that fire can truly light the world.

• • •

"AND SO, MY ..fellow Americans: ask not what your country will do for you —ask what you can do for your country.

"My fellow citizens of the world: ask not what America will do for you, but what together we can do for the freedom of man."

After luncheon at the Capitol, President Kennedy and Vice President Johnson rode together to the White House where they took their places in the stand to view the inaugural parade.

The parade up Pennsylvania Avenue, highlighted by the military, got under way shortly after the President the Vice President left the Capitol.

The National Council of Negro Women had a float in the parade. It bore the inscription, "Partners in New Frontiers."

• • •

THE CAPITAL was in a gala modd in a final round of pre-inaugural celebrations lading to the swearing in President Kennedy.

The festivities were snarled Thursday by a snow storm which had traffic tied into a tight knot.

Government workers were released early Thursday afternoon because of the snow. This added to the difficulty of persons who wished to attend the governors' reception at the Sheraton Park Hotel.

The storm also interfered with a concert at the auditorium of the Daughters of the American Revolution and with the gala, an extravaganza staged by Frank Sinatra at the National Guard Armory to raise funds to help pay off the debt of the Democratic National Committee.

The District of Columbia put into action 200 snow plows and 150 dump trucks to clear the snow off the streets and did a good job in the downtown area.



SET FOR INAUGURAL — Bandmaster Frank T. Greer of Tennessee State A. and I. University has the 132-piece Marching Band all dressed up in redesigned uniforms the Tennessee band will wear in the Inaugural Parade in Washington Friday.

Tenn. State band to march in Inaugural Parade Friday

NASHVILLE, Tenn. — Tennessee State University's 132-piece marching band has accepted an invitation to participate in the inaugural parade for President-elect John F. Kennedy Friday.

In response to the invitation from Inaugural Parade executive chairman, Robert Harris, President, W. S. Davis wired this reply:

"We are pleased to accept the invitation to have Tennessee State University band represented in the Inaugural parade."

FOR BANDMASTER Frank T. Greer, the inaugural parade will be another history-making step for the university's aggregation.

The originators of the "big sound," music arranged for the individual band member, Tennessee State University's band was the first such group to play a nationally televised professional football game halftime show.

Freshly outfitted in redesigned uniforms, Bandmaster Greer's show - case marching unit did the national televised half-time show for the Baltimore Colts-Green Bay Packer game in Novemebr.

In 1955, the unit made history appearing at half-time at the Chicago Bears football game and did a repeat performance in 1956 for the Cleveland Browns.

* * *

THE NEW uniforms, seen for the first time at the Colt-Packer game, are royal blue with white piping and braid.

Over the body coat is a big red "T" on the back and red T.S.U. letters across the front.

Church propose to aid Africans

NASHVILLE, Tenn. — A proposal that local churches be asked for funds to provide scholarships at Methodist educational institutions for African students was made last week by a Methodist official.

Dr. John O. Gross of Nashville, general secretary of the church's board of education's higher education division, said $1 million would be needed to initiate the program. In his report, he said the church should pay transportation expenses for the students.

Virgin Islands Play Major Inaugural Role

WASHINGTON — The Virgin Islands are expected to make a big splash in the Inaugural Parade Jan. 20 honoring President John F. Kennedy.

The Islands will be represented in the historic parade march from the U. S. Capitol to the White House by a huge float, a crack prize-winning drill team and a 132-piece marching band of national note.

The entire Virgin Islands Legislature will attend the Inaugural ceremonies at the Capitol at midday, and occupy a favored position in the stands in front of the White House to review the parade.

V. I. SENATORS

The delegation from the legislature will be headed by Sen. Walter I. M. Hodge. Senate president, and Sens. Ron deLugo and Lucinda Miller, Democratic National Committeeman and Committeewoman for the Virgin Islands.

Other members of the Legislature attending the inaugural ceremonies include: Sen. Fritz Lawaetz, of St. Croix; Sen. Aubrey A. Anduze, of St. Croix; Sen. Candido R. Guadalupe, of St. Croix; Sen. Theovald E. Moorehead, of St. John; Sen. John L. Maduro, of St. Thomas; Sen. Joseph A. Gomez, of St. Thomas: Sen. Percival H. Reese, of St. Thomas, and Sen. Earle B. Ottley of St. Thomas.

The Legislature will be honored at a reception to be given by Chairman Michael J. Kirwan of the House Democratic Congressional Committee at the Women's National Democratic Club.

40 FOOT FLOAT

The 40-foot-long Virgin Islands float is expected to be one of the outstanding exhibits in the Inaugural Parade. Three beautiful living models, wearing native costumes, will represent the three principal Virgin Islands—St. Croix, St. Thomas and St. John.

TENNESSEE A & I

The 132-piece band representing the Virgin Islands in the Inaugural Parade is from the Tennessee Agricultural and Industral State University of Nashville, Tenn.

The band is under the leadership of director Frank T. Greer, and Anceo M. Francisco, and assisted by associate directors Edward L. Smith and Benjamin J. Butler.

Foreign Students Stampede at White House to Shake Kennedy's Hand



Associated Press Wirephoto

Foreign exchange students pushing toward President Kennedy. The top of his head may be seen just beyond the man in center of group at left. In the left foreground is one of the loudspeakers knocked down in the crush.

Special to The New York Times.

WASHINGTON, July 13 —About 1,800 enthusiastic foreign-exchange students turned a White House visit into a virtual stampede this morning. The only damage was to the shrubbery and to the dignity of several of the visitors. A White House policeman said the incident just escaped being serious. President Kennedy inadvertently set off the episode when some of the students surged forward in a pushing, shouting group to shake his hand. They were gathered by the Rose Garden, just outside the President's office in the West Executive Wing. Mr. Kennedy had just finished a brief welcoming speech in which he said the students should serve "as a bridge between the best parts of my country and your people." Mr. Kennedy then came down two or three steps from the portico to the ground level. The students reacted as if they were movie fans greeting a matinee idol. Those in front reached toward him across a rope held by three policemen; those in the rear pushed forward to get their turns. All were cheering—a strange sound in the quiet White House grounds.

Several students standing in front rank were pushed down and into the hedge and azaleas lining the portico. One girl was knocked face down into a low hedge, and another fell on top of her.

Two loudspeaker stands were tipped over and several youths were pushed to their knees. Others were pressed dangerously against the restraining rope.

Kennedy Beats Retreat

Mr. Kennedy made a hasty retreat up the steps to the portico and returned to his office. Those in the rear of the still-cheering crowd gradually stopped pushing and those in front got back on their feet.

The students were brought to this country by the American Field Service. They have been living for a year in American homes and attending American schools. The entire group has just completed a bus tour of the United States.

Mr. Kennedy told them he hoped their experience "has taught you a valuable lesson, and that is that there are no simple problems."

He hoped each would go home, the President said, "not merely as a friend but understanding our faults and our assets, but most of all understanding what we are trying to do and what we are trying to be—and that we recognize that we have in this country great unfinished business."

Kennedy Cabinet,

The Atlanta Journal & Constitution

Adlai Take Oaths

Atlanta, Ga.

Senate Gives Speedy Approval to Appointees

Jan. 1-22-61

WASHINGTON, Jan. 21 (UPI)—The 10 cabinet members who will help President John F. Kennedy launch his "New Frontier" were sworn into office Saturday after receiving speedy Senate confirmation.

In a White House ceremony, Chief Justice Earl Warren administered the oath of office to the 10 men and to Adlai E. Stevenson, who won Senate approval as the new U.S. Ambassador to the United Nations.

Stevenson has been described as having "cabinet rank."

Kennedy, who was present, invited all the cabinet members' children—13 of them—to pose for pictures. Mrs. Jacqueline Kennedy also was on hand.

* * *

THE SENATE met in special session Saturday morning to act on the appointments. They went through in rapid-fire fashion, and there was only token dissent.

A few hours later, the cabinet officers and Stevenson, wearing dark suits, sat in a semicircle around the President and his wife for the ceremony putting them officially in office.

Nine of the President's cabinet choices were approved by unanimous voice vote. But Sen. Gordon Allott, R-Colo., stood up against Robert Kennedy, charging he has not had sufficient background in the law overall to qualify him" for the job.

* * *

THE OTHERS quickly shouted through the Senate in order, one by one, were:

Secretary of State—Dean Rusk, 51, Rockefeller Foundation president.

Secretary of Defense—Robert McNamara, 44, former president of the Ford Motor Co.

Secretary of Treasury—C. Douglas Dillon, 51, undersecretary of state in the Eisenhower administration.

Postmaster General—J. Edward Day, 46, West Coast vice president of Prudential Insurance Co.

Secretary of Interior—Former Rep. Stewart Udall, 40, of Arizona.

Secretary of Agriculture — Orville L. Freeman, 42, former governor of Minnesota.

Secretary of Commerce — Luther H. Hodges, 62, former governor of North Carolina.

Secretary of Labor—Arthur Goldberg, 52, who resigned as special counsel of AFL-CIO.

Secretary of Health, Education and Welfare—Abraham A. Ribicoff, 50, former governor of Connecticut.

Robert's nomination—among the first four considered—drew the only bit of opposition. He was approved on a standing vote, with only Sen. Allott standing up in opposition.

* * *

SENATORS IN BOTH parties praised the nominees, but Sen. Styles Bridges, N.H., chairman of the GOP Policy Committee, told the Senate that there are "deep reservations" about some of the nominees in the cabinet and sub-cabinet posts.

P. 16

Bridges noted, however, that it is the constitutional duty of the Senate to "advise and consent" to presidential appointments—not to make nominations. He said Senate Democrats had rejected President Eisenhower's appointment of Adm. Lewis L. Strauss as commerce secretary two years ago "on very shaky grounds" and contrary to that constitutional principle.

Atlanta, Ga.

Bridges recalled that John Kennedy, then a senator, had voted against Strauss "and against the principle I have just outlined."

BRIDGES SAID SOME of Kennedy's appointees are "outstanding," others are "satisfactory" and some others "leave plenty of room for doubt."

Chairman Richard B. Russell, D-Ga., of the Senate Armed Services Committee, and Sen. Leverett M. Saltonsall, R-Mass., the ranking GOP member, were among senators praising the McNamara appointment.

The rapid confirmation of nominees slowed down when the Senate began considering the nomination of Robert Kennedy.

Allott, a former prosecutor, said "I do not believe anyone can qualify himself as a lawyer by being counsel for any committee in the government." This was a reference to young Kennedy's service as counsel for the rackets committee.

* * *

BECAUSE OF THE nominee's legal inexperience, Allott said, "I cannot in conscience vote to sustain this nomination."

McClellan said the President's brother has "superb qualities of executive leadership and professional capability."

McClellan said he enjoyed the "closest personal and professional relations" with Robert Kennedy during the last seven years. He said Robert had handled with "superb skill" what he considered the "most tedious, delicate and perhaps most dangerous task" ever given a congressional committee.

McCLELLAN'S PRAISE was echoed by Senate Democratic leader Mike Mansfield of Montana, who said the appointee was "a man of great integrity, ability and courage."

Kennedy's nominations of the 10 cabinet officers and of Stevenson were formally submitted to the Senate Friday within an hour after Kennedy took the presidential oath. However, various Senate committees previously had held hearings on the nominations and approved them.



Associated Press Wirephoto

PRESIDENT JOHN KENNEDY AT NEW DESK
Ready to Plunge Into Busy Round of Conferences

34d 1961 GENERAL

Don't Change The Rules Committee

The Birmingham News

NEXT TUESDAY the House of Representatives will probably conduct a roll call vote on whether to change the number of Democrats and Republicans on the rules committee from 8 and 4 to 10 and 5.

Birmingham Ala

Jan 12 1961

The effort is being engineered by Speaker Sam Rayburn. The aim is to add two moderate or liberal Democrats to the committee. Doing so would upset the heretofore almost mechanical coalition of four Southern conservatives and two conservative Republicans on the committee, making any rules committee vote on controversial legislation likely to be 6 to 6, or a tie. A majority vote is needed to give any such legislation a "rule," that is, to get it reported out on the floor with a recommendation one way or the other, or with no recommendation.

The rules committee is so powerful that it can undeniably bottle up legislation for an almost indefinite period.

However, a majority of House members by signing a petition can force the rules committee to discharge a bill. In practical House politics this has been done rarely. But that situation very possibly, even probably with respect to some legislation, could change.

MR. RAYBURN was to have called for the vote last Thursday. Obviously he became alarmed as to the number of votes he has. There are 262 Democrats and 175 Republicans. But as many as 100 Democrats are Southerners. It is being guessed that something around 60 of these may rebel against Rayburn's leadership. Something like 20 Republicans, however, are expected to go with Rayburn for liberalizing the rules committee. The prospect as it stacks up, then, is that of a close vote in any case. Obviously there is a vote spread of perhaps no more than 10 crucial votes.

The pressure has been on from both sides. Mr. Sam had apparently thought he had his business in order. The more recent "dope stories," however, have had the edge running slightly against Rayburn.

Many House members who might normally be for holding the rules committee as it long has been have wavered toward Rayburn because of their interest in particular pieces of legislation. Some Alabama members are included among these.

THE MEASURES Kennedy is most anxious to see enacted as soon as possible include those covering medical care for the aged, education aid, housing bills to stimulate that lagging industry, a minimum wage hike, and aid to depressed areas.

Even casual students of the Congress know that several Alabama congressmen are deeply interested in more than one of these packages. Hence the temptation to go along, on the part of some of them, with Mr. Sam.

But the temptation might quite easily be resisted because:

1. Rep. Howard Smith of Virginia, rules committee chairman, has made a firm pledge that he and the rules committee conservative Democrats will not try to bottle up these bills; Smith is prepared to give them a rule, get them on the floor.

2. If Sam Rayburn has come this close to changing the basic stucture of the committee, then it follows in logic that the lesser business of getting a discharge petition on a given piece of controversial legislation would be even more possible to conclude successfully.

In short, inherently the rules committee as it stands right now is not going to be as tight a restrictive unit as it has been on even liberal legislation—so long as that legislation does not involve civil rights.

There is, in the meanwhile, meaningful speculation that, while Mr. Kennedy does not seem prepared to advance during the next one or two years any serious new extensive civil rights measures, pressure will mount on him greatly later in his administration to do just that.

IF THE RULES committee structure is now changed—it is likely changed once and for all. The power of cautious, conservative Republicans as well as especially the Southern Democrats, would probably forever be sharply reduced, even rendered virtually nonexistent in the clutch.

Therefore Southern representatives who now incline to go with Sam Rayburn's projected changes could be opening Pandora's box permitting in the future nobody knows what type of legislation. They would be doing so in the name of the particular pieces of legislation, however, which are immediately before the House—and such legislation is certain in any event to get a rules committee okay to go to the floor for a full House vote.

The question is nakedly before all: Why, then, change the rules committee and invite a prospect of future legislation which could lead the nation astray?

In the Senate, conservatism held, even with Majority Leader Mansfield's approval, and the cloture rule, No. 22, was sent to committee where it long will lay. The Senate did not feel the need for literal procedural revolution. Why do any Southerners or others in the House feel so much urgency?

REP. GEORGE HUDDLESTON of Jefferson, the Ninth District, knows these facts. His position on the Rayburn change has seemed to many somewhat vague, and there has been evident fear among many of his constituents that he might yield to Rayburn pressure for expediency. But not only is the old principle sound, the need for such changes is not yet demonstrated. Mr. Sam's power is clearly on the wane. The majority of voters in Jefferson, *The Birmingham News* believes, wants to see George Huddleston vote to hold the rules committee as it is.

None of the presently proposed legislation of interest to Alabamians would be endangered by doing so. Rep. Huddleston's choice should be clear, whatever the pressures upon him past and present to follow Rayburn's lead. He should vote against the rules change. It is almost certain to be a costly choice for him otherwise.

JOHN BIRCH SOCIETY

34d 1961

Teachers' Head Says Birch Unit Tries to Infiltrate School Groups

By WILLIAM G. WEART
Special to The New York Times.

PHILADELPHIA, Aug. 15—Carl J. Megel, president of the American Federation of Teachers, denounced the John Birch Society today as a threat to American liberties.

He said that members of the ultra-Right-wing society were attempting to "infiltrate Parent-Teacher Associations which, they claim, are dominated by 'liberals' and must be exposed."

Mr. Megel made the statements in his report to the forty-fifth annual convention of the 61,000-member federation at the Bellevue-Stratford Hotel. He called the Birch Society a symbol of "force and attempts to enslave the minds of men."

Mr. Megel also told the delegates: "Today more than ever, education is the prime requisite for the establishment and maintenance of a peaceful world."

In the future, he said, "education will not be the academic thing as it was in the past, but to be successful from now on [education] must be an instrument for articulating values to the people."

"These values must be consistent with our scientific, cultural and economic achievements," he said.

Mr. Megel said that the schools should be administered more democratically, with teachers having a voice in what is taught as well as in teaching it.

"The need of education in America today deserves a priority of public attention equal to that of national defense," Mr. Megel said. "To fail in education is to fail in everything else."

At a business session, the 600 delegates adopted a resolution calling upon the federation to "encourage teachers to enter the Peace Corps for the purpose of making a contribution to world peace through the medium of ideas and the transmission of skills and knowledge."

In another resolution, the convention endorsed the establishment of a Youth Conservation Corps as a program that "would help the individual youth and develop a great potential of manpower for our nation."

Birch Group Essays Urge Impeach Warren

TULSA, Okla. (UPI)—The John Birch Society announced Friday a $2,500 essay contest on "grounds for the impeachment of Supreme Court Justice Earl Warren."

Robert Welch, founder-head of the Birch Society, made the announcement at the opening of the third annual Christian Crusade Convention where he was keynote speaker.

Witnesses to the San Francisco riots against the House Un-American Activities Committee were scheduled to speak in Saturday's session. Reliable sources said they may make statements implicating another "liberal" member of the high court.

Willis Carto, founder of the Liberty Bobby, and Dr. G. Archer Weniger, a Baptist pastor, both from the San Francisco area, were to give personal observations about the riots.

The convention is sponsored by a radio evangelist, Dr. Billy James Hargis, who has led bitter attacks on the National Council of Churches for alleged Communist infiltration.

Welch said the essay contest concerning Warren would offer top prize of $1,000 with eight lesser prizes. Undergraduates at American universities this fall will be eligible.

He said the contest, which is to be detailed in the Birch magazine in August, would encourage students to study for acts of subversion.

Birch Society, Klan, NAACP Funds Taxed

WASHINGTON — (UPI) The Internal Revenue Service said Wednesday it has instructed its agents to disallow tax deductions made for contributions to the Klu Klux Klan, the John Birch Society, the National Association for the Advancement of Colored People and other groups.

The Service said the organizations were not tax exempt.

IT SAID Assistant Commissioner Harold T. Swartz explained the policy in a letter June 7 to Rep. Charles S. Gelson (D-N. J.), who disputed the IRS policy this week.

He also said that C. F. Craig, Grand Dragon of the Klan, had agreed to stop claiming that donations to his group were tax deductible.

THE NEW Jersey Democrat said he sought the moves from Internal Revenue Service and the Post Office Department when he learned that the Klan was sending pleas for money through the mail with the representation that such gifts would be tax deductible.

CALIFORNIA TWITS JOHN BIRCH GROUP

Report Also Likens Society to Communist Party

By LAWRENCE E. DAVIES
Special to The New York Times.

SAN FRANCISCO, Aug. 2—California's Attorney General bracketed the John Birch Society with the Communist party today.

Stanley Mosk applied the same definition to each:

"[It] is a monolithic authoritarian organization with the policy dictated from above and no dissent permitted in its ranks."

Moreover, he sad, "domestically, the John Birch Society opposes civil rights, collective bargaining, and the social gospel of religoins. In the nations which they rule, the Communists oppose these also."

Several other asserted likenesses of communism and the John Birch Society, an extreme Right-wing organization founded by Robert H. W. Welch Jr., were listed in a fifteen-page report on the society by the Attorney General's office.

Light and seroius by turns, with ridicule, andcomedy and caustic comment thrown in, the report was prepared by Howard H. Jewel, an assistant Attorney General. It noted that inquiries had been received by the Attorney General's office about the but society by Mr. Mosk suggested that the inquirers "failed to come to grips with their duty as citizens."

He said they should look into the organization, listen to the ideas espoused, see the people espousing them and ask questions. Citizens then could decide for themselves "whether to join or oppose the organization or simply stay home and watch television."

"In America," the report said, "preposterousnes prevents the acceptance but not the expression of ideas."

Welch Declined Interview

Accordingly, it said the Attorney General was not conducting an investigation. One effort to interview Mr. Welch, whom the report called "an embittered candy maker of Belmont, Mass.," was "met with a crude rebuff," the report added.

"This is in strange contrast to subsequent demands by Congressman [Edgar W.] Hiestand [Republican of California] and other Birchers for 'an investigation,'" the Attorney General said.

The report asserted that in assessing patriotism "most Americans would feel the need for differentiating between a paid agent of the Soviet espionage apparatus on the one hand and an American who believes in fluoridation or mental health programs or the United Nations or Federal aid to education—or all four of these—on the other hand."

"Not so Mr. Welch," it went on. "He and the Birchers angrily lump all these together under the blanket accusation of treason."

The report said the "entire Birch phenomenon is redolent with strong overtones of paranoia, with the 'Communists' replacing the more conventional paranoid 'they'."

"For the paranoid, life is a nightmare," it went on. "Only he can see The Enemy. Only he understands the nature of the Peril. The more he acts upon his systematized delusions the more he is cast out by his fellow man for his oddness. This only serves to feed or confirm his dark suspicions and moves him to ever more bizarre beliefs."

Birch Unit Not Illegal

SACRAMENTO, Calif. (AP)—California's attorney general said Wednesday the right-wing John Birch Society is authoritarian, paranoiac and often ridiculous—but not illegal.

Atty. Gen. Stanley Mosk made his 15-page "personal observations" in answer to a query from Gov. Edmund G. Brown on whether the society is unlawful. The report was actually written by Asst. Atty. Gen. Howard Jewel.

"The cadre of the John Birch Society seems to be formed primarily of wealthy businessmen, retired military officers and little old ladies in tennis shoes," the report said.

"They are bound together by an obsessive fear of 'communism' a word which they define to include any idea differing from their own, even though these ideas may differ even more markedly with the ideas of Marx, Engels, Lenin and Khrushchev."

The attorney general said he planned no formal investigation of the ultra-conservative society headed by Robert Welch, a retired candy maker from Massachusetts.

The Birchers Birched

California Atty. Gen. Stanley Mosk will probably be called a "comsymp" by the John Birch Society, but he has prepared a sensible opinion of the organization which yields neither to the hysteria of right or left.

The Birchers are not likely to overthrow the Republic, but neither are they likely to save us. They are authoritarian, paranoid and ridiculous, but not illegal, Mosk found, with this conclusion:

The cadre of the John Birch Society seems to be formed primarily of wealthy businessmen, retired military officers, and little old ladies in tennis shoes. They are bound together by an obsessive fear of "communism," a word which they define to include any idea differing with their own.

There, in a single paragraph, Mosk has fixed the proper label on the Birchers. Some people collect old bottles and it seems to give them pleasure. The Birchers collect "communists," which includes just about everybody, and "comsymps," which takes care of the rest.

It seems to keep them happy and, as hobbies go, it's relatively harmless.

The $2300 Birch Society

Washington Post
By ROSCOE DRUMMOND

The Attack by the John Birch Society on the United States Supreme Court and its effort to vilify Chief Justice Earl Warren may well impair the John Birch Society more than it does the Court.

The Birch Society claims to be a thoroughly and sincerely conservative organization whose purpose is to alert the country to the dangers of communism. That is a useful and proper thing to do. But when the leader of this organization resorts to extreme, radical and reckless methods, which have the effect of harming those very institutions he says he wants to secure, then the Birch Society is throwing away its credentials.

ITS LATEST action, announced by Robert H. Welch Jr., is to invite college students to compete for $2300 by writing essays "on grounds for the impeachment" of Chief Justice Warren.

Obviously, every decision by every Justice of the Court is subject to the most searching debate and dissent by anybody. But when the Birch Society proceeds to the proposition that if we don't like the decisions of a member of the Court, he should be removed, this is not supporting a government of law. It is throwing it away.

I DOUBT if the American people have so soon forgotten F.D.R.'s ill - conceived and similar "court - packing plan" of 1937. Roosevelt too, didn't like some of the decisions of the Court in the mid' 30s and he proposed to add nine more justices to the high bench in order to outvote those who were making, what to him were the wrong decisions.

Even President Roosevelt, powerful and popular as he was, did not dare to suggest the impeachment of the Chief Justice or other members of the Court. He just proposed to outnumber them. His proposal was roundly defeated by the Senate.

THE PRESIDENT of the American Bar Association Whitney N. Seymour has bid to get students to write essays on why the Chief Justice should be impeached as "not legitimate criticism of decisions."

"No responsible person will encourage it," he said. "The ignorant, by such false implications of misconduct, are led into disrespect for our institutions which maintain liberty under law, and thus for all law. Let us leave such attacks to the Communists, who hate our institutions. Our duty is to uphold and defend liberty and the independent courts which are essential to maintain it."

THE HEAD of the Birch Society says that the purpose of the essay contest against Justice Warren is "to stir up a great deal of interest among conservatives on the campuses on the dangers that face this country."

You will note that Welch does not invite the college students to examine the grounds "for and against" impeachment. He asks them to examine only the grounds "for" impeachment and write their essays to that end.

I WONDER if this kind of one-sided research and be - sure - to - come - up with - the - right - opinion approach will appeal to many students of law and government. I wonder if there may not be students who will enter the contest with essays suggesting that there are no grounds for the impeachment of the Chief Justice.

There will certainly be those who will conclude that packing the Court because you don't like some of its decisions is not government by law but nullification of law.

WELCH IS subtle. He doesn't exactly and openly say that Gen. Dwight D. Eisenhower is pro - Communist. He merely circulates a letter which suggests that he has aided the Communists, and invites your opinion.

Welch doesn't say that the chief Justice should be impeached, or that there are grounds for his impeachment. He invites others to do so and offers $2300 in prizes to those who do it best.

THIS DOES not seem to me to be either an honest or an honorable thing to do. It is this kind of thing which is hurting anti - communism, rather than helping it.

No Glory in John Birch's Death, Fellow GI Recalls

BILLINGS, Mont.—(UPI)—A Billings broadcaster who served in China with John Birch, after whom the ultra-conservative John Birch Society is named, said that Birch was shot and killed by a Chinese Communist officer during a heated argument and that there was "no object lesson" and "no glory" in his death.

Joseph S. Sample, who was in the same Office of Strategic Services detachment as Birch when Birch met death at the hands of the Chinese Communists 10 days after the end of World War II said Birch's brash manners probably led to his death. Sample is president of KOOK radio and TV in Billings.

Robert Welch, retired Massachusetts candymaker who founded and heads the John Birch Society chose the name because Birch was regarded as the first American to die



John Birch
. . . shot by Commie

at the hands of the Chinese Reds after World War II.

Birch was a man with no particularly distinguishing characteristics — a little stiff, perhaps, with a not very high regard for the Chinese, and somewhat self-important, but nothing unusual," Sample recalled. "If he had strong political convictions, they were not in evidence."

In the summer of 1945, when civil war appeared inevitable in China, Birch was assigned a mission in Central China, Sample said. The small team consisted of a staff sergeant, radio operator, interpreter and code clerk.

"This mission should have been routine," Sample said, except that when it arrived at its designated area it was met by a force of Chinese Reds.

"The Chinese were understandably disturbed by what seemed to them an unwarranted intrusion into their area and demanded an explanation," Sample said. "Some of them had undoubtedly never seen Americans before.

"Captain Birch chose to attempt to bluff his way out of a difficult situation. Harsh words led to insults, and insults to arrogance. Finally, in a fit of rage, the Chinese Communist leader shot Birch.

"The news of Birch's death created a sensation at OSS headquarters, primiarily because of the irony of his being killed after the war was over."

"While succeeding OSS teams were more careful in their dealings with the Chinese Communists," Sample said, "there was no real object lession in Birch's death and certainly no glory."

JAVITS ASKS BIRCH PROBE

PRINCETON, N.J., April 8 (AP)—Sen. Jacob K. Javits, R-N.Y., Saturday called for a Congressional investigation of the militantly conservative John Birch Society.

In a speech prepared for delivery at the Princeton University symposium on world affairs, Javits said:

"The John Birch Society has now come along to remind us again that the principles of a free society can be eroded from the extreme right as well as the extreme left. Can we be complacant when men of position and influence seriously fight for the impeachment of Supreme Court (chief) Justice Earl Warren? Or when its leader is a man who has seriously contended that President Eisenhower was a dedicated, conscious agent of the Communist conspiracy? Or when a secret group purports to fix a Communist label on people who don't suit them? They undermine the very foundations of the republic because they jeopardize the confidence of the people in their tried and proven leaders.

"That is why, just as I have encouraged the continued exposure of ultra-leftist movements, Ihope there will be a continued exposure of the John Birch Society—even to the extent of a congressional investigation."

* * *

JAVITS ALSO dwelt on racial discrimination, which he said has "become an international peace issue . . . vital to our national security." He said the United States could meet "this grave challenge" by:

1. Being completely honest about the extent of its human relations problems.
2. Passing federal laws to help speed up public desegregation.
3. An uncompromising stand by the President "on every occasion and in every detail" to demonstrate that the principles of equality are our national policy.
4. An executive order against discrimination in federally assisted housing.

Javits said the "ultra-conservative approach is dangerously inadequate" in the field of civil rights.

Ultra-conservatism, he said, "would launch no new initiatives in the civil rights fields. It would oppose a tightening of Senate rules against the filibuster—the South's potent weapon in battling civil rights legislation."

Probe of Birch Founder Asked

WASHINGTON, March 30 (AP)—Congress was urged today to investigate the John Birch Society's founder for calling former President Dwight D. Eisenhower "a card-carrying Communist."

One congressman acknowledged membership in the conservative society. He is Rep. Edgar W. Hiestand, R-Calif., who said, "I'm quite sure there are other members of Congress who are also members of the society."

But Sen. Thomas H. Kuchel, R-Calif., and Sen. Thomas J. Dodd, D-Conn., took the floor of the Senate to denounce the organization.

Kuchel said Robert Welch, founder of the society, should be called before the Senate Government Operations Committee to answer questions about attacks on the character of Eisenhower, Chief Justice Earl Warren and others.

Incredible Lie

To call Eisenhower a Communist, Kuchel said, "is a fantastic and incredible lie."

"Good God," he asked, "should the American people permit this kind of spleen to be poured on a man who has dedicated his whole life to freedom?"

Dodd said attacks by Welch on Eisenhower, Warren, former Presidents Franklin D. Roosevelt and Harry S. Truman and others were "an affront to both decency and intelligence."

Welch, a 61-year-old retired Boston candy manufacturer, founded the anti-Communist society in 1958.

He was unavailable for comment today.

Missionary Honored

The society is named in honor of a 27-year-old Baptist missionary killed by the Chinese Communists 10 days after the close of World War II. The society considers Birch the first casualty of the cold war.

While Kuchel called for an investigation in the Senate, it was revealed that Rep. Henry S. Reuss D-Wis., had asked for an investigation in the House.

Reuss asked Rep. Francis E. Walter, D-Pa., chairman of the House Committee on un-American Activities, to authorize a probe by his committee.

Walter, in a reply today, said the committee has received numerous letters complaining that the organization was un-American. But, he added, their specific complaints alleged wrongs by individuals who have recourse to the civil courts.

Probe Welcomed

Heistand, however, said he would welcome an investigation of the society by Walter's committee.

Hiestand told the Washington Evening Star that such an investigation would help dispel charges that the society is "a dictatorial, Fascist" organization.

The Star said he had written several fellow congressmen yesterday, urging them not to attack the society "until you know the facts."

The letter was written, Hiestand said, because "a member of the other body has been putting a lot of stuff in the Congressional Record that is simply not accurate."

Hiestand did not name the senator, but, in recent weeks, the society has been strongly criticized by Sen. Milton R. Young, R-N.D.

Congress Asked to Probe Birch Society

By James E. Clayton
Staff Reporter

Calls for an investigation of the John Birch Society broke out on both sides of Capitol Hill yesterday but none of them produced any immediate results.

In the Senate, Sen. Thomas H. Kuchel (R-Calif.) said the Government Operations Committee should investigate the Society and the charges made by its leader, Robert Welch, against high-ranking governmental officials.

In the House, Rep. Henry S. Reuss (D-Wis.) released an exchange of correspondence with Rep. Francis E. Walter (D-Pa.) in which Reuss asked the Un-American Activities Committee to look into the Society.

Both Walter and Sen. John L. McClellan (D-Ark.), chairman of the Senate committee, said it was doubtful that their groups have jurisdiction to investigate the Society.

Kuchel made his request on the Senate floor after the Society had been denounced by Sen. Thomas J. Dodd (D-Conn.), vice chairman of the Internal Security Subcommittee.

Dodd said the attacks made by members of the Society against Senators Kuchel and Milton J. Young (R-N. D.) are "beneath contempt." He said the other two Senators have been the targets of vicious letter-writing campaigns in which they are charged with being soft on communism or dupes of the Communist Party.

Dodd said he wanted to tell Society members and the Nation at large that he thinks such attacks play into the hands of the Communists.

Dodd said he thinks that most of the Society's members do not share the "extreme views" of its leader, Welch. Welch has charged that former President Eisenhower and the late John Foster Dulles, among others, were either members or willing dupes of the Communist Party.

But Welch's view, Dodd said, "has infected some of his most impressionable followers."

Dodd also commended the press for bringing the situation to light. But he added that he wished the press would do the same type of reporting on Communist front organizations.

When Dodd finished his speech, Kuchel accused Welch of spreading a "fantastic and incredible libel" by calling Mr. Eisenhower a card-carrying Communist.

"Good God!" Kuchel exclaimed, "Should the American people and the American Government let that kind of spleen be poured on one who gives his whole life to the cause . . . of freedom?"

Kuchel said Welch should be called before a committee and asked "for the basis on which he makes these charges." "Since he will be unable to document them," Kuchel said, "he should be made to apologize in public not alone to Eisenhower, not alone to Warren, but also to the people of the country."

Welch has often attacked Chef Justice Earl Warren and charged that the Supreme Court follows the Communist line. The Birch Society is currently running a campaign calling for the impeachment of Warren.

Several senators have reported that they have received a large amount of mail in the impeachment campaign, much of it coming in letters carrying a sticker which says, "This is a republic, not a democracy—Let's keep it that way!"

Kuchel told the Senate, "There are many good but mistaken people who belong to the John Birch Society, but there are some others who are neither good nor mistaken (about) who runs it."

About the time Kuchel was speaking, another member of the California delegation, Rep. Edgar W. Hiestand (R.) disclosed that he is a member of the Society. He later told a reporter that he thinks there is much misunderstanding about what the group does.

Because of this, Hiestand added, he would welcome an investigation. He said, "The objectives (of the Society) are sound and its methods of operation are very sound."

He said that he does not agree with everything Welch has said but that 98 per cent of the Birch program is "intense patriotism and anti-communism." He said Welch's past remarks are being dredged up now to destroy the group. "When an anti-Communist group begins to hurt, it begins to get smeared," he said.

Hiestand added that he is sure that other members of Congress belong to the Society but he does not know who they are. He took exception to the characterization of the group as "semi-secret" but he said it up to individual members to reveal affiliation.

One member of Congress, Rep. Gordon H. Scherer (R-Ohio) is carried by the Society as an endorser. This does not necessarily mean he is a member. Scherer could not be reached yesterday for comment.

Even Rats Have Rights, Liberals Say

THE sudden controversy over the John Birch Society has revealed an interesting schizophrenia in liberals and even a few conservatives.

In general, liberals grudgingly concede that even ultra-conservatives are entitled to their opinions, however beastly, and the House Un-American Activities Committee has no more right to inquire into the convictions of these people than it does to examine the Carl Bradens, Peter Seegers, and all.

Then, having paid this lip service to freedom of thought and speech for the right as well as the left, liberals launch into a guilt-by-association routine, likening the John Birch group to Nazis, or mentioning the known villains who are members of the Society or who have praised it.

In his April 14 column from Washington liberal Columnist Marquis Childs wrote:

> An official of the West German government remarked recently that he had been reading reports of America's radical right and the activities of the John Birch Society. He mentioned: "This seems to me a cause for concern. It was in somewhat the same manner that National Socialism came into being in my country."

★

IT'S NOT necessary to accept this analogy, Childs judiciously cautions us, to be concerned with the growing "vigilante spirit" in the country. Then he launches into a tired rehearsal of the popularity of the movie *Operation Abolition*, made from questionably edited film clips of the riots touched off in San Francisco last year by hearings of an un-American Activities sub-committee. Childs comments: "The movie glorifies the committee and creates the impression that anyone who questions its findings is either a communist, pro-communist, or at best a dupe of communism."

Then he proceeds to demonstrate that those who have sponsored the showing of the film are either fascists, pro-fascist or at best dupes of fascists. He doesn't use the words, of course, but points out that in "some areas the Birch Society is itself a promoter of *Operation Abolition* and the committee." Lest some dense reader miss the message, Childs closes with the observation that:

> Comfortable Germans clung to the belief that Hitler's end — the extermination of communism — justified his means. And as the means became more and more brutal and barbarous they simply closed their eyes and a great civilized nation wrote its own terrible epitaph.

Silly as the strained parallel is, it's not as hysterical as some liberal comment on the Birch Society and *Operation Abolition*. They who have been notoriously blind to communist perils to the nation, have, with their ultra-sensitive antennae, now picked up fascist signals jamming every frequency.

★

THE *New York Post's* Murray Kempton is content to smear the Society with Senator Eastland's praise for it, and the fact that its list of sponsors contains three former presidents of the National Association of Manufacturers, three leaders of Citizens Councils, and "innumerable generals who, being unable to find jobs as lobbyists for defense contracts, had to settle for retirements to Texas."

But Kempton concedes that "our journalism is seldom fair to political extremists," which may be taken as a queer sort of apology for his own effort to brand the Birchers as fascist types. Anyway, he says, they shouldn't be investigated—the rats.

The net result of it all is that the Society and its founder, Robert Welch, have been inflated out of all proportion to their importance as just another weird little group of barnburners. Welch's curious habit of labeling public figures as communists is hardly different in character from the maddog liberal's attacks on conservatives—the abuse heaped on Richard Nixon for eight years, for instance.

The lesson to be learned from it all is this: there are anti-communist nuts and anti-fascist nuts in the country and there's not a nickel's worth of difference in the intelligence or the danger of either group.

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REPUBLICAN

DEC.
JACKSON, MISS.



The Afro-American - P. 1
Dat: 12-16-61
Baltimore, Md.

UNWANTED REPUBLICAN — James Edwards, wealthy Mississippi businessman, who sent his $100 check in response to a Republican dinner invitation wears puzzled expression as hotel bellboys tell him he's not wanted and that he must leave by back door. He did.

Miss. GOP refuses to let invited guest attend $100 dinner

JACKSON, Miss. — An in vited wealthy business mar walked into the front door and shortly thereafter, was directed out by a back doo when he showed up for a Re publican dinner at a loca hotel here last week.

"I just don't know whether I'll vote Republican any more or not," said James Edwards 49, who had the $100 price for a ticket, but was denied admission. On second thought, he said he probably would because "I couldn't get in a Mississippi Democratic dinner either."

William Miller of New York, GOP national chairman disclaimed any responsibility and a state official said the invitation was a mistake. Mr. Edwards said he wasn't surprised, just "sorely disappointed."

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Lt. Lee Raps Republican Plan To By-Pass Negro Vote In The Deep South

Atlanta Daily World P.1 Sun. 12-10-61

Atlanta, Ga.

MEMPHIS, Tenn. — (SNS) —

Lieut. George W. Lee, veteran Republican leader in West Tennessee and a member of the Tennessee Republican Committee, dashed off a letter this week to the national party chairman, William Miller, criticising the proposal by some Republican bigwigs to by-pass the Negro vote in the South.

Lieutenant Lee heaped his criticism upon two men in particular, Senator Barry Goldwater (R., Ariz.) and Wirt Yerger of Jackson, Miss., GOP chairman in that state and recently elected chairman of southern GOP leaders at a meeting in Atlanta.

The Republican Party faces dangerous times if it chooses to ignore the Negro vote, Mr. Lee declared. His letter to Mr. Miller follows:

"I have read the reports of the Atlanta meeting of Southern Republican leaders about the election of Mr. Wert Yerger of Mississippi, a white supremacist, who makes no bones about his White Citizens Council roots. I have also read South. I have read with shock and nounced by Senator Goldwater and Mr. Yerger for the estabilshment of a two - party system in the South. I haev read with shock and surprise the plan that he and others have put forth to by - pass the Negro vote in the South. The reason given is that the Republican Party will not try to outpromise the Democrats for the Negroes vote. Yet, on the other hand there seems to be the plan to outpromise the Democrats for the white southerner's vote. This is symbolized in the election of Mr. Wert Yerger, who said in a speech in Memphis in October, 1960, that, "the Republican Party would never amount to anything until it got rid of the Negro."

"When a Republican leader disregards our party's heritage and our party's regularity and join the cry of the White Citizens Council and other intolerant groups of "down with the Negro," we have a spectacle that calls for tears. Wiser men that I hold myself to be declare, at least in private conference, that a policy that excludes from the authority and responsibility of the Republican Party eight million citizens because they do not resemble others in face and feature is dangerous and no Republican leader, certainly not one as deeply acquainted as you are with the histor yof parties, can afford to pursue such a policy — in the lght of the changing political scene in the South.

"Ten years ago, there were only about five hundred thousand Negroes registered in the South. Today, there are in excess of three million. Perhaps, only in Mississippi, Mr. Yerger's state, and Alabama where force measures and borough systems have driven the Negro from the ballot box, could the white vote alone carry a state for our party. Now with the aid of Federal laws that are placing the ballot box within the reach of millions of Negroes in the South their registered numbers will be augmented to more than five million by 1964. While it is reasonable to assume there will be little change in the present size of the southern white vote.

Such radical conservatism of Mr. Goldwater and many of these southern leaders such as Mr. Yerger enunciated at the Atlanta meeting would carry the party back down the runways to oblivion of 42 from which it was rescued by the Eisenhower program of progressive conservatism.

"Some years ago, the Democrats fastened on to the Republican Party the image of "friend of the rich." So we lost the poor people in considerable numbers. Now today if we permit the image to be fastened on to us as, "the friend of the intolerant," in order to permit a few southern gentlemen to parade in a party whose principles they do not believe in and afford the White Citizens Council, the John Birch group and the minute men a shelter from the storms of racial change, we will lose the Negro vote both North and South. My faith mothers the belief that to build a two - party system in the South on the foundation of race and religious hate will leave the Republican Party a wreck upon the shores of the political ocean but a memory to those who once loved it and a chapter in the history of government.

"Today, sir the Negro in the south stands with massive political power, able to defeat any candidate who does not consider him. But it does not end there. The Negro south cannot be ignored without touching off the explosive cross currents which will effect the Negro north.

"If the Republicans are to have any chance in 1964, we have got to cut deeply into the big electoral votes. The candidate who does this, the professional politicians believe, must be what Eisenhower calls a "responsible progressive" or least a "middleroader."

"It is not surprising then about the warm feeling for Rockefeller, even among middlewestern and western conservatives. According to Kenneth Crawford of Newsweek, "Western conservatives are not only thinking about Rockefeller, but talking about Aockefeller as though his nomination for better or worse were a sure thing."

"This to my mind, indicates that these middlewestern and western conservatives realize that the world is just changed and they have got to face it, just as we southern folk have got to face it.

"Of course, we are essentially conservative in the South but conservatism alone is like a spinister with noble ancestry but no descendants. Conservatism did not discover America or write the Constitution or the Bill of Rights. The history of this country is a series of social reforms.

"Prior to 1934, the Democrats had pursued the same policy of by - passing the Negro. For fifty odd years the Republicans were able to claim the Negro vote as its very own and won almost every national election up until 1934 — and then the Democrats led by Roosevelt, recognized the important effect of the first migration that caused two million Negroes to leave their southern homes and crowd into such balance of power states as Illinois, Michigan, New Jersey, Ohio, Pennsylvania and New York. The Democrats realized they could not win a national election without the Negro vote. The Democratic high command then put together elaborate organizational and oratorical efforts that gave the Negro voter in these balance of power states visions of a new deal.

"This was not all that made the democratic appeal effective. It was the rise of lily -whitism in the Republican Party in the South. The lily white had assured the party leaders that a two - party system could be built and the solid South could be broken if the Negro was relegated to the rear. They pointed out the number of southern states Mr. Hoover had carried in 1928 to support their theory. So the drive was on to make the Republican Party over in a night so that the acknowledgment of definite obligation to the Negro citizen would be substituted. It was then that Negro citizens in these balance of power states and in the South as well launched his political revolution — a revolution not against the Party of Lincoln but against lily whitism and other white supremacist groups.

"In this great hour of transition, the Republican Party is in a position to offer leadership. If it accepts this open invitation issued to the designs of oppression it may well prove tragic."

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REPUBLICAN

Republican Confab Hits New Frontier

World Daily Herald P. 1
Sat. 1-28-61
Atlanta, Ga.

"One-Party System No Good For North Or South; Leads To Tyranny" — Miller

By STANLEY S. SCOTT

Republican National Chairman William E. Miller addressed a Southern Regional Conference dinner at the Biltmore Hotel Friday night attended by more than 700 Republicans; lashed out against the Kennedy administration's "New Frontier" and deplored the one-party system as a form of government that "only leads to tyranny."

The two-day regional conference under the auspices of the Republican Party of Georgia is one of several meetings being held throughout the nation by the national GOP to bolster a two-party system in America.

The $25-a-plate dinner was well attended by Negroes in the city and from throughout the state.

Robert R. Snodgrass, Republican National Committeeman from Georgia, introduced Rep. Miller and also read a telegram from former President Dwight D. Eisenhower expressing regrets that he could not be present for the regional meeting.

Mr. Snodgrass lauded Miller as a vocal, smart, tenacious fighter "who has given the Republican Party the will to win."

"We are on the march," Miller said. "These days it's really nice to travel all through the South." He was referring to recent visits to Texas, New Mexico, Mobile, Ala.; South Carolina, and Atlanta, where Republicans have gained recent victories in state and city elections.

ATTACKS NEW FRONTIER

In his attack on the present administration, Rep. Miller said, "We have a solid record of eight years of peaceful government under the Eisenhower administration.

"Some of the Democrats these days talk about what they inherited. Look at what we inherited in January of 1953." He said. "We were engaged in a war in Korea. A war where the soldiers were committed to die, but not to do enough to win a war.

"We did not have a semblance of a missile program and the Communists had taken over Guatemala. Inflation had taken over and there was a staggering crime rate.

"As President Kennedy should know," Rep. Miller told the audience, "it's not so much what you inherit that counts, but what you do with what you inherit."

Chairman Miller in his blast at the Kennedy administration took a critical view of the "New Frontier" and said "Kennedy in calling on the most qualified persons to serve the country picked Mr. Harriman as his roaming ambassador, who was defeated by more than 500 thousand votes in New York. He chose Adlai Stevenson as United Nations representative after he had been twice rejected for president by the American people."

He described White House Press Secretary Pierre Salinger as President Kennedy's man who censors everything that comes out of the White House and stated Salinger was "the thinking man's filter."

Other Kennedy administration policies that came under Miller's attack included: "Adlai Stevenson saying up and down the country that the admission of Red China to the U.N. is inevitable." Kennedy's handling of the Cuban situation and the Berlin crisis.

"When we allowed the Russians to build a wall between East and West Berlin," he said, "West Berlin became a ghetto of freedom." "We should have kicked the wall down brick by brick," he said.

"ONE PARTY NO GOOD," MILLER DECLARES

"A one-party system is no good for the South or North, it only leads to tyranny, so, we say to you, come walk with us. We believe in the two-party system."

Negro Republican Party supporters seen at the dinner included Rev. and Mrs. E. R. Searcy, Mr. and Mrs. T. M. Alexander, Sr., T. M. Alexander, Jr., Rev. and Mrs. A. S. Dickerson, Dr. C. Clayton, Powell, C. A. Scott, C. R. Yates, L. D. Milton, W. J. Shaw, J. H. Calhoun, Milton White, A. J. Lewis, Q. V. Williamson, Atty. T. J. Henry.

Sen. Barry Goldwater, chairman of the Republican Senatorial Committee, will be in Atlanta today to address the delegates representing 12 states.

PREDICTS VICTORY

Earlier in the day at a news conference, Miller predicted the Republicans can win eight to 12 congressional races, including one in Kentucky, two each in Florida, North Carolina and Virginia; one in Georgia, seventh; one in Texas, and possibly two in Tennessee.

Miller implied he thought Republican candidatess in the South could ride into office on a vote of "no confidence" in the Kennedy administration.

"The Democrats have been talking conservative at home but they don't vote that way in Washington and the Southern Republicans plan to hit on this point," Miller said.

Miller, asked about the Republican stand on civil rights, said "see our platform." Asked if he thought candidates could win on that platform in the South, replied "I would say so."

However, Miller quickly added he believed each candidate must campaign on the principles, ideas and platform that fits best with the district he represents."

The party has the right platform for the South and needs only "new muscle" to win Dixie elections, Miller said later when addressing a $25 a plate banquet.

Miller, joined later by Sen. Barry Goldwater, R. Ariz., sought to spur state GOP chairman to strike hard in 1962, taking advantage of recent surprise election winds in the once -solid Democratic strongholds.

CITIES MARGIN

"You must remember that in the last presidential election we lost the presidency by less than one-half of 1 per cent of the total vote cast," Miller said in a keynote dinner address.

"At the same time, in that election, we gained 21 members in the House of Representatives, we gained two governors and we gained 300 seats in the state legislatures of our 50 states."

More encouraging for prospects for the party's 1962 "Operation Dixie" were more recent surprise Republican victories in state and local elections in several southern states.

"The fastest grassroots movement in American politics today is the dramatic growth of the Republican Party in the South," Miller told the Southern - state party leaders.

"This indicates that we need no new image; we need no new policies. All we need is new muscle. We need new grassroots organizations."

Goldwater is to speak Saturday.

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Names Eisenhower To Head "People To People" Choice

By MERRIMAN SMITH
(UPI White House Reporter)

WASHINGTON (UPI) — President Kennedy Wednesday raised prospects of a $50 billion-plus military budget next year by declaring he would propose higher defense spending to keep U.S. armed strength ahead of Russian might.

The President also told a news conference the United States was pressing ahead with plans to resume nuclear test in the air if a study of recent Soviet tests shows such action is necessary. Rejecting any more voluntary test moratoriums, Kennedy said:

"The Soviet Union tested while we were at the table negotiating with them. If they fooled us once, it is their fault. If they fool us twice, it is our fault."

In a third defense development, the President defended his criticism during the 1960 election campaign of what the Democrats then referred to as the "missile gap" between this country and Russia. In recent weeks he has said this country is still well ahead in military power.

Kennedy said he based his 1960 statements on public statements by members of Eisenhower's administration who were in a position to know. He said many members of the Eisenhower administration were saying the same thing at the time.

TICKED OFF STEPS

The President then ticked off steps he has taken this year to strengthen the armed forces, including a $6 billion increase in defense funds. It was at this point that he said "we are going to ask for additional funds for defense next year."

The defense budget this year now totals about $47 billion. Military officials indicated previously that the budget would run to at least $52 billion in the fiscal year starting next July 1.

One report circulated in the Pentagon last month was that the new defense appropriations request might total as high as $53.7 billion. There also will be a $300 million supplemental request for the current fiscal year to meet the most of calling up two National Guard divisions that reported October 1 in the face of the Berlin crisis.

Even so, the President said that all intelligence available to him now indicates the United States is second to none, or as he put it:

"We would not trade places with anyone in the world." He said he intended to keep it that way.

The President willingly placed Russia first in one category—radioactive fallout from nuclear tests. Rejecting Soviet claims that the United States and Britain produced more fallout, he said there was no doubt that Russia "is first in that very dubious category."

GOVERNMENT TO ISSUE BOOKLET

As for Americans protecting themselves from fallout, Kennedy said he hoped a forthcoming government booklet would supply accurate and precise information on the role "each family, each community, each state and the federal government" would play.

NAMES IKE

— He announced that former President Dwight D. Eisenhower would serve as the first chairman of the board of trustees of the new "people-to-people" organization for promoting contacts between U. S. citizens and those of other countries. Kennedy said he was "delighted" that Eisenhower had agreed to serve in the organization, which is privately financed.

Eisenhower Heads 'People to People'

By RUSSELL BAKER
Special to The New York Times.

WASHINGTON, Nov. 8—General of the Army Dwight D. Eisenhower has agreed to accept quasi-governmental service as board chairman of a new citizens' committee responsible for the "People-to-People" program.

The announcement was made by President Kennedy today at his news conference. General Eisenhower's acceptance of the post, although not identifying him with the policies of the Kennedy Administration, marks the first time he has taken on even semi-official duties under Mr. Kennedy's aegis.

The President coupled the announcement with the statement that he considered it "a great honor to be able to serve as honorary chairman" of the new organization.

The "People-to-People" program was originated by General Eisenhower during his Presidency on the theory that personal human contacts among nations might make an important contribution to keeping the peace. The program has remained one of his primary interests.

There appears to be little political significance in General Eisenhower's acceptance. The organization he will head is a private citizen's group charged with coordinating and raising funds for citizen's committees that do the bulk of the work under the program.

The Government's relationship to the program is that of sympathetic sponsor. Its only working point of contact with the Government is an office in the United States Information Agency, operating on a small staff and slight budget.

The new development of the program amounts to a complete overhaul at the top. This, according to the U. S. I. A., was made possible through "financial and other assistance" supplied by the Hallmark Foundation, established by Joyce C. Hall, a Kansas City greeting card manufacturer.

Mr. Hall has served in the Eisenhower Foundation, financial parent of the Eisenhower Library and Museum in Abilene, Kan. Thus, General Eisenhower seems to have been a logical choice for the new post.

Since September, the general has been highly critical of the Kennedy Administration's economic policies and some of its conduct of foreign affairs. In partisan political speeches in Chicago, New York and San Antonio, Tex., he criticized the Administration's fiscal policy the Peace Corps and "the seeming indecision and uncertainty" in certain foreign policy operations.

According to some reporters who have interviewed President Kennedy privately, this has put a strain on their relationship. Mr. Kennedy, however, has never publicly shown any evidence of irritation over the general's strictures.

Today he said he was "delighted" to announce that General Eisenhower was taking on public duties. From Gettysburg, Mr. Eisenhower said Mr. Kennedy's statement was "gratifying because it indicates his approval of this worthy civilian effort."

"I will be delighted," he said, "if I can do anything to further the work of the many thousands who are engaged in this program."

Kansas City Headquarters

In the reorganization, according to the U. S. I. A., the program will be set up as a nonprofit corporation with headquarters in Kansas City. General Eisenhower will be chairman of the board of trustees. He said today he would go to Kansas City Friday to discuss the program.

Serving with him on the board will be about 100 distinguished citizens. The organization will be operated by a nine-man executive committee, on which General Eisenhower will be an ex officio member.

The others will be Mr. Hall; Walt Disney; DeWitt Wallace, publisher of The Reader's Digest; Mrs. Anna Rosenberg, former Assistant Secretary of Defense; Gen. Alfred M. Gruenther, president of the American Red Cross; Dr. Franklin Murphy, president of the University of California at Los Angeles; Dr. Alfred Frankfurter, editor of Art News; Martin Bortman, Boston industrialist, and All Hillex, Kansas City lawyer.

REPUBLICAN

PEOPLE -TO- PEOPLE PROGRAM

Republican Win In S. Carolina No Help to Negro

BY JOHN H. McCRAY

COLUMBIA, S. C.—On Aug. 8, the Republican candidate in a three-man race for the remaining part of the term of a Democrat's seat in the state legislature defeated both the Democratic and the States Rights (Dixiecrat) candidates in Richland County of South Carolina.

The Republican, Charles E. Boineau Jr., of Columbia, becomes the first white Republican to hold a similar office in 75 years.

The last known GOP partisan to hold office in South Carolina was Mayor Crawford of Clemson who, 1956, ran unsuccessfully against U. S. Senator Olin D. Johnston.

■

GOP AND some Negro party partisans living outside of the state, as well as some newspapers with heavy GOP financing are viewing the Boineau victory as foreshadowing a new day and emergence of the much talked about two party system in the South.

Some quarters also suggest that within the next decade the Democratic party and its more often racist-minded controllers will be replaced by Republicans on both the state and congressional level, and that in this change such frustrated and suppressed groups as Southern Negroes will be benefited.

But is there hope for the Southern Negro should the party leaderships change in the South? Should the Negro in the South support the Democrats? or, the Republicans?

■

THE ACTUAL answer is "neither," and the basis for this type of answer is that thus far in the South white office-seekers have one "party" in common which they cling to more tenaciously than either Democrats or Republicans.

This "party" is race and color.

Knowing that Negro Democratic voters were still bitter over treatment the state party gave them at a banquet in Columbia April 2 (Secretary of Commerce Hodges was speaker), the Berry supporters steered clear of Negroes at the outset.

About three days before the election, and sensing defeat, they tried to make peace and distimulate some Negroes to vote, but not enough.

The Boineau supporters, which included the White Citizens Council in the county, made no bid for Negro votes. Instead, they campaigned against Representative Adam Clayton Powell, President Kennedy's apparent "capitulation" to the NAACP and Northern liberals.

They harped on principles of Senators Barry Goldwater and J. Strom Thurmond, the latter of South Carolina.

■

REPUBLICANS, frustrated for over 50 years, began working from underground spots within the state Democratic party in 1940 to stage a comeback.

Believing that these dissident party members would not go to a Republican party, the organizers setup decoy groups, such as were Wilkie Democrats, National Democrats, Independents, Democrats for Eisenhower, Democrats for Nixon, States Righters, etc. even the Dixiecrats.

■

ALL OF THESE groups, on the race issue, outdid the Negro-baiting members of the Democratic party in appeals for votes.

Meanwhile, the real Republicans, about one good handful each, concerned themselves mostly with battling each other for state control.

The nationally-recognized group was headed by the late Joe (Tieless) Tolbert of Greenwood, who each convention year headed a delegation of handpicked Negroes to the national conventions. Usually, he was the only white person.

Time and time he beat out his opposing group, at first the so-called "Hambright" faction which later took a page out of "Tieless" Joe's book and added two or three Negroes in its delegation.

■

THE LATTER group was victorious in San Francisco in 1956, but by 1960 had lived up to the suspicions the Tolbert faction had kept alive about it: at heart, it was lily-white. Where, in 1956, it had a number of Negro members in its delegation, some brought over from the Tolbert remnants opposing it, it had a lone Negro at the 1960 convention, an alternate.

On the state level, within the four-year interim between 1956 and 1960 South Carolina Republicans systematically ousted (quietly and politely) local Negro officers, those who had for years been the symbol of Republicanism in the state.

Nearly ten years ago, state Republicans made their first big move against Negroes. They kicked out of the party the two foremost Negro women leaders in the state, Mrs. Modjeska M. Simkins of Columbia, and Atty. Cassandra E. Maxwell of Orangeburg.

Miss Maxwell later married Dr. James Birnie of Atlanta. He and she were White House guests some months ago when President Eisenhower entertained Soviet's Nikita Khrushchev on his American visit.

■

THUS FAR, South Carolina Republicans show no inclination to court Negro voters or even tolerate them.

They have matched and possibly exceeded South Carolina white Democrats in attacks on Negroes, civil rights and Negro status. They back such persons as Gov. Orval E. Faubus, oppose sit-ins and school integration.

They have in years past boasted of having spent huge sums in the South to defeat such liberals as Senator Claude Pepper in Florida; Gov. Ellis Arnall in Georgia and former University of North Carolina president, Frank Graham.

They blame Democratic Presidents Roosevelt, Truman and now Kennedy for Negro demands, and Negro gains. Paradoxically, they are the abject reverse of such Northern Republican liberals as Senator Jacob Javits of New York.

However, Southern Negroes are increasing registration and voting interests. It is likely that they will await lineups of whites on Democratic and Republican party lines, then step in at election time, hold their noses and vote for which ever appears to be at the time the lesser of two evils.

Republicans Appear To Hold Edge In Redistricting

WASHINGTON (AP) — Republicans appear to have the edge so far in the redrawing of congressional district boundaries made necessary by shifts in population.

As of now, Republicans stand to emerge from the multistate scrap with a slight net gain in House seats while the Democrats face a small net loss. That could change, however, when such states as Illinois, Pennsylvania and Massachusetts solve their redistricting problems.

Right now, a very iffy estimate indicates Republicans may gain two or three while Democrats lose a like a number.

Sixteen states lose 21 seats and nine states gain 19 under the 1960 census. States that lose seats and fail to redistrict will have to have all their House candidates run at large in 1962.

The new Reapportionment Act adopted Friday by the Republican-dominated New York Legislature seemed to have tipped the scales toward the GOP in weighing the net effect of redistricting, now accomplished by 14 of the 25 states affected.

The New York law is calculated to eliminate seven Democratic House incumbents and give the Republicans an increase of five seats. If it surmounts possible court challenge, it will largely offset the gain of eight seats the Democrats hope to accomplish under a California law adopted by a Democratic legislature.

New York loses two seats under the 1960 reapportionment because its population growth didn't keep pace with the rest of the nation. California gains eight seats. Some California Republicans even predict that the Democrats might pick up more than eight through the redrawing of district lines.

Cries of "gerrymander," "Chinese Wall," and "railroad" have echoed across the land as varying plans were put forward to chart the wiggly lines of new districts to favor one party or the other.

Angry California Republicans charged 'railroad" when the Democratic legislature put through a plan creating five new districts in Southern California and three in Los Angeles County. Democrats replied it was a lot fairer than the redistricting 10 years ago when the GOP controlled the legislature.

It was the Republicans who cheered in New York, although a few of them had some misgivings about the long-range political effects. New York Democrats attacked the plan reducing the state's districts from 43 to 41 as "a massive assault on the Kennedy administration."

Of the 16 states that lose seats after next year's elections, nine have redistricted. The seven which have not are Illinois, Kentucky, Massachusetts, Minnesota, Mississippi, Pennsylvania and Alabama.

Alabama, however, came up with a novel plan for electing its eight congressmen next year as against the present nine. It calls for each of the present nine districts to nominate a candidate in the first primary, and then the nominees must run in a statewide primary. The top eight in the statewide vote will be in; the ninth will be out.

In Illinois, with its seats reduced from 25 to 24, the legislature has adjourned until Tuesday while a conference committee tries to work out a compromise. Republicans control the Senate and Democrats the House.

Kentucky will consider the question at January session. Its seats are cut from eight to seven.

In Massachusetts, whose House membership will be reduced from 14 to 12, a special legislative commission is studying the question.

Minnesota's delegation is reduced from nine to eight. A special session of the legislature is a possibility for December or January.

Mississippi's six Democratic seats will be reduced to five. A January session will consider the matter.

In Pennsylvania, whose delegation is sliced from 30 to 27, Gov. David L. Lawrence says he will call a special session late this month or early December if the two parties can reach an agreement.

SUBJECT TO VOTE

Pennsylvania GOP leaders have insisted that one seat should be taken from Philadelphia, which now has six seats, all Democratic. Rep. William Green, Philadelphia Democratic chairman, has refused to go along with this, proposing instead that some suburban townships be added to Philadelphia districts to bring the average population up.

Five of the nine states that gain under reapportionment have redistricted, but a Maryland plan is subject to a referendum vote in 1962. The four states that have not reapportioned are Hawaii, Michigan, Ohio and Texas. Each gains a seat and candidates for the new memberships are expected to run at large.

On the basis of past performances, Democrats stand to lose some 13 seats in Alabama, Arkansas, Iowa, Mississippi, Missouri and New York, while gaining a posible 11 in California, Florida and New Jersey.

Republicans could lose three in Maine, Nebraska and West Virginia while gaining five in New York and perhaps one or two in Florida. Elsewhere there's no pattern for judgment.

34d 1961

REPUBLICAN

NOVEMBER
ATLANTA,GA.
$25 -a-plate REPUBLICAN DINNER
NOV. 17,1961
OPEN TO NEGROES

Georgia GOP Opens Dinner to Negroes

The Washington Post 10-1 1961
Thurs 11-9-61

ATLANTA, Nov. 8 (AP) $25-a-plate Republican dinner at an Atlanta hotel Nov. 17 will be open to Negroes, GOP officials have announced.

The decision opening this meeting to Negroes was made before Negroes protested to the White House that they would be barred from a Democratic affair in another Atlanta hotel, James W. Dorsey, state GOP chairman, said yesterday.

Washington, D.C.

The Democratic banquet, featuring an address by Secretary of Defense Robert McNamara, will honor U. S. Sen. Richard B. Russell of Winder and Rep. Carl Vinson of Milledgeville.

Dorsey said only a few Negroes are expected to attend the Republican dinner.

The Georgia GOP Executive Committee has three Negro members, and there are 28 Negroes on the GOP State Central Committee.

GOP plans to integrate state meeting

The Washington Post
Nov 9 1961

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GOP's Negro Committeeman From Mississippi Succumbs

WASHINGTON (AP)—Perry W. Howard, Mississippi's Republican national committeeman for 35 years, died Wednesday in his sleep. Howard, a Negro, was 84.

Last year he retired from the committee. He had lived in Washington since the 20s, and practiced law.

His GOP leadership in Mississippi was challenged almost every four years at Republican national conventions after he went to his first one, in 1912, as a delegate.

Howard was first named a member of the National Committee in 1924. He was considered a leader of the "black and tan" delegations from the South that were a part of the GOP national conventions for many years after Reconstruction days.

Born to slave parents in Ebenezer, Miss., he was graduated in 1899 from Rust College, Holly Springs, Miss., and attended Fisk University, and the University of Chicago.

An attorney since 1905, he at one time was an assistant to the U.S. attorney general.

Howard's wife died in an automobile accident here Sept. 15, 1957. He leaves a son, Perry W. Jr., and a sister, Miss Sarah E. Howard, both of Washington.

Explains GOP Loss Of Negroes

GOP National Chairman Thruston Morton said that "economics" was a major factor in the fact that Mr. Nixon only received 30 per cent of the Negro vote in the last election.

"The Negro community is one of the first to suffer in any economic recession," he said, adding also, "We didn't do an adequate job of salesmanship."

Morton said that during the 1960 campaign, "for the first time, many Democrats worked out of Republican Headquarters" replying to a query on the best way to make the GOP "potent" in the South.

The chairman also said that Republican candidates should make a greater effort to meet with the press and editors, noting the pro-Kennedy attitude of many newsmen.



REPUBLICAN WOMEN from Massachusetts, attending the Women's Republican Conference in Washington, last week were entertained by Mrs. Laurence Curtis, wife of Congressman Curtis. Shown above are, left to right: Congresswoman Frances P. Bolden (R. Ohio) Mrs. Earlieen Paul of Roxbury, Mass., Mrs. Curtis and Mrs. Estella Crosby, also of Roxbury.

Shaw Retires From Active Role In GOP

Georgia Republican Central Committee members convened at the Fulton Civil Court building Saturday, April 22, and lauded W. J. Shaw, retiring secretary of the Republican Central Committee of the State of Georgia.

Shaw, who has given 35 years of services to the GOP, which included the lean years, when democrats were garnering most of the votes in national elections, announced his retirement effective April 6.

In appreciation for the valuable loyalty and service rendered the GOP, W B. Shartzer, former Republican chairman, presented Shaw a silver tray on behalf of the party.

Shaw was first elected to the assistant secretary of the Georgia Republicans in 1926 and has served as secretary since 1956.

Benjamin Davis, Sr., was the first Negro elected to the secretary's post in 1928, and later served as national committeeman.

Mr. Shaw stated that many Negroes have served with the Republican party in Georgia as committeemen since 1867.

Shaw is present owner and operator of the Odd Fellows Building at 250 Auburn Ave., N. E.

In the Saturday meeting, James Dorsey,, state GOP party chairman, said there will be Republicans seeking office in the September 13 primary.

Text of President's Farewell Address to the Nation

Special to The New York Times.

WASHINGTON, Jan. 17—Following is the text of an address by President Eisenhower, broadcast and televised from the White House tonight:

My fellow Americans:

Three days from now, after half a century in the service of our country, I shall lay down the responsibilities of office as, in traditional and solemn ceremony, the authority of the Presidency is vested in my successor.

This evening I come to you with a message of leave-taking and farewell, and to share a few final thoughts with you, my countrymen.

Like every other citizen, I wish the new President, and all who will labor with him, Godspeed. I pray that the coming years will be blessed with peace and prosperity for all.

Our people expect their President and the Congress to find essential agreement on issues of great moment, the wise resolution of which will better shape the future of the nation.

My own relations with the Congress, which began on a remote and tenuous basis when, long ago, a member of the Senate appointed me to West Point, have since ranged to the intimate during the war and immediate postwar period, and, finally, to the mutually interdependent during these past eight years.

His Relationship Good

In this final relationship, the Congress and the Administration have, on most vital issues, cooperated well, to serve the national good rather than mere partisanship, and so have assured that the business of the nation should go forward. So, my official relationship with the Congress ends in a feeling, on my part, of gratitude that we have been able to do so much together.

We now stand ten years past the midpoint of a century that has witnessed four major wars among great nations. Three of these involved our own country. Despite these holocausts America is today the strongest, the most influential and most productive nation in the world. Understandably proud of this preeminence, we yet realize that America's leadership and prestige depend, not merely upon our unmatched material progress, riches and military strength, but on how we use our power in the interests of world peace and human betterment.

Throughout America's adventure in free government, our basic purposes have been to keep the peace; to foster progress in human achievement, and to enhance liberty dignity and integrity among people and among nations. To strive for less would be unworthy of a free and religious people. Any failure traceable to arrogance, or our lack of comprehension or readiness to sacrifice would inflict upon us grievous hurt both at home and abroad.

Progress toward these noble goals is persistently theatened by the conflict now engulfing the world. It commands our whole attention, absorbs our very beings. We face a hostile ideology—global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily, the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle—with liberty the stake. Only thus shall we remain, despite every provocation, on our charted course toward permanent peace and human betterment.

Crises there will continue to be. In meeting them, whether foreign or domestic, great or small, there is a recurring temptation to feel costly action could become the miraculous solution to all current difficulties. A huge increase in newer elements of our defense; development of unrealistic programs to cure every ill in agriculture; a dramatic expansion in basic and applied research — these many other possibilities, each possibly promising in itself, may be suggested as the only way to the road we wish to travel.

Balance Held Essential

But each proposal must be weighed in the light of a broader consideration: The need to maintain balance in and among national programs —balance between the private and the public economy, balance between cost and hoped-for advantage — balance between the clearly necessary and the comfortably desirable; balance between our essential requirements as a nation and the duties imposed by the nation upon the individual; balance between actions of the moment and the national welfare of the future. Good judgment seeks balance and progress; lack of it eventually finds imbalance and frustration.

The record of many decades stands as proof that our people and their Government have, in the main, understood these truths and have responded to them well, in the face of stress and threat. But threats, new in kind or degree, constantly arise. I mention two only.

A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

Our military organization today bears little relation to that known by any of my predecessors in peacetime, or indeed by the fighting men of World War II or Korea.

Until the latest of our world conflicts, the United States had no armaments industry. American makers of plowshares could, with time and as required, make swords as well. But now we can no longer risk emergency improvision of national defense; we have been compelled to create a permanent armaments industry of vast proportions.

Added to this, three and a half million men and women are directly engaged in the defense establishment. We annually spend on military security more than the net income of all United States corporations.

New to America

This conjunction of an immense military establishment and a large arms industry is new in the American experience. The total influence—economic, political, even spiritual—is felt in every city, every state house, every office of the Federal Government.

We recognize the imperative need for this development. Yet we must not fail to comprehend its grave implications. Our toil, resources and livelihood are all involved; so is the very structure of our society.

In the councils of Government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex. The potential for the disastrous rise of misplaced power exists and will persist.

We must neveer let the weight of this combination endanger our liberties or democratic processes. We should take nothing for granted. Only an alert and knowledgeable citizenry can compel the propeer meshing of the huge industrial and military machinery of defense with out peaceful methods and goals, so that security and liberty may prosper together.

Akin to, and largely responsible for the sweeping changes in our industrial-military posture, has been the technological revolution during recent decades.

In this revolution, research has become central; it is also becomes more formalized, complex, and costly. A steadily increasing share is conducted for, by, or at the direction of, the Federal Government.

Today, the solitary inventor, tinkering in his shop, has been overshadowed by task forces of scientists in laboratories and testing fields. In the same fashion, the free university, historically the fountainhead of free ideas and scientific discovery, has experienced a revolution in the conduct of research.

Partly because of the huge costs involved, a Government contract becomes virtually a substitute for intellectual curiosity. For every old blackboard there are now hundreds of new electronic computers.

The prospect of domination of the nation's scholars by Federal employment, project allocations, and the power of money is ever present—and is gravely to be regarded.

Yet, in holding scientific research and discovery in respect, as we should, we must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological élite.

It is the task of statesmanship to mold, to balance and to integrate these and other forces, new and old, within the principles of our democratic system — ever aiming toward the supreme goals of our free society.

Another factor in maintaining balance involves the element of time. As we peer into society's future, we—you and I, and our Government—must avoid the impulse to live only for today, plundering, for our own ease and convenience, the previous resources of tomorrow.

We cannot mortgage the material assets of our grandchildren without risking the loss also of their political and spiritual heritage. We want democracy to survive for all generations to come, not to become the insolvent phantom of tomorrow.

Down the long lane of the history yet to be written America knows that this world of ours, ever growing smaller, must avoid becoming a community of dreadful fear and hate, and be, instead, a proud consideration of mutual trust and respect.

Such a confederation must be one of equals. The weakest must come to the conference table with the same confidence as do we, protected as we are by our moral, economic, and military strength. That table, though scarred by many past frustrations, cannot be abandoned for the certain agony of the battlefield.

The Need for Disarmament

Disarmament, with mutual honor and confidence, is a continuing imperative. Together we must learn how to compose differences, not with arms, but with intellect and decent purpose. Because this need is so sharp and apparent I confess that I lay down my official responsibilities in this field with a definite sense of disappointment.

As one who has witnessed the horror and lingering sadness of war—as one who knows that another war could utterly destroy this civilization which has been so slowly and painfully built over thousands of years—I wish I could say tonight that a lasting peace is in sight.

Happily, I can say that war has been avoided. Steady progress toward our ultimate goal has been made. But, so much remains to be done. As a private citizen, I shall never cease to do what little I can to help the world advance along that road.

So—in this my last good night to you as your president —I thank you for the many opportunities you have given me for public service in war and peace. I trust that in that service you find some things worthy; as for the rest of it, I know you will find ways to improve performance in the future.

You and I—my fellow citizens—need to be strong in our faith that all nations, under God, will reach the goal of peace with justice. May we be ever unswerving in devotion to principle, confident but humble with power, diligent in pursuit of the nation's great goals.

Prayer for Peace

To all the peoples of the world, I once more give expression to America's prayerful and continuing aspiration:

We pray that peoples of all faiths, all races, all nations, may have their great human needs satisfied; that those now denied opportunity shall come to enjoy it to the full; that all who yearn for freedom may experience its spiritual blessings; that those who have freedom will understand, also, its heavy responsibilities; that all who are insensitive to the needs of others will learn charity; that the sourges of poverty, disease and ignorance will be made to disappear from the earth, and that, in the goodness of time, all peoples will come to live together in a peace guaranteed by the binding force of mutual respect and love.

34d 1961 REPUBLICAN PRESIDENT EISENHOWER

Nixon's Farewell to Congress

The N.Y. Times

Special to The New York Times.

WASHINGTON, Jan. 6—Following is the transcript of Vice President Nixon's remarks at the counting of electoral votes in a joint session of Congress today:

Mr. Speaker, since this is an unprecedented situation I would like to ask permission to impose upon the time of the members of this Congress to make a statement which in itself is somewhat unprecedented.

I promise to be brief. I shall be guided by the one-minute rule of the House rather than the unlimited time rule that prevails in the Senate.

This is the first time in 100 years that a candidate for the Presidency announced the result of an election in which he was defeated and announced the victory of his opponent. I do not think we could have a more striking and eloquent example of the stability of our constitutional system and of the proud tradition of the American people of developing, respecting and honoring institutions of self-government.

In our campaigns, no matter how hard-fought they may be, no matter how close the election may turn out to be, those who lose accept the verdict, and support those who win. And I would like to say that, having served now in government for fourteen years, a period which began in the House just fourteen years ago, almost to the day, which continued with two years in the Senate and eight years as Vice President, as I complete that fourteen-year period it is indeed a very great honor to me to extend to my colleagues in the House and Senate on both sides of the aisle who have been elected; to extend to John F. Kennedy and Lyndon Johnson, who have been elected President and Vice President of the United States my heartfelt best wishes, and to extend you those best wishes as all of you work in a cause that is bigger than any man's ambition, greater than any party. It is the cause of freedom, of justice, and peace for all mankind.

It is in that spirit that I now declare that John F. Kennedy has been elected President of the United States, and Lyndon B. Johnson Vice President of the United States.

The chair now declares the joint session adjourned.



United Press International Telephoto

BALLOT BOXES, one holding Presidential votes, the other Vice-Presidential votes, being taken to yesterday's joint session of Congress by Capitol pages. At the rear is Vice President Nixon, who presided at counting of the Electoral College votes and announced the results.

SWEETNESS FROM ADVERSITY

Nixon Is Vote-Count Star

Washington, D.C.

By MARY McGRORY
Star Staff Writer

Out of adversity, Vice President Nixon yesterday wrested a little sweetness which no one begrudged him.

On the unpromising occasion of the ancient charade of counting votes of the Electoral College, he made a short speech which even his political enemies were quick to call the most sporting of his career.

A loser among victors, the Vice President has had to face up to several painful occasions this week. On Tuesday, at the opening of the Senate, he had to swear in men who had successfully negotiated the difficulties of Election Day.

He had, moreover, to bear the baiting of the demon Southern rules expert, Senator Russell, Democrat of Georgia, with whom he engaged in fruitless exchange over the practices of the Vice President-to-be, Lyndon Johnson of Texas.

Yesterday, once again, he had to count himself out at a joint session of Congress in the chamber of the House of Representatives.

It was a time of fumbling formality and the good-humored lethargy that Congress always brings to its ceremonials, particularly when all partisan passion is spent.

The Vice President was ushered in by House Doorkeeper "Fishbait" Miller and his resounding "Mis-tuh Speak-ah." He walked directly behind two page-boys who were weighted down by handsome gold-bordered, rosewood boxes containing the sacred, meaningless documents of what Senator Curtis, Republican, of Nebraska, one of the tellers, was subsequently to call "the Electoreal College."

The Republican side sent up a few cheers as their defeated candidate mounted the podium he shared with House Speaker Sam Rayburn. He merely smiled in acknowledgment. He wished the Speaker a happy birthday from the Senate.

Alabama immediately brought comic relief. It gave six votes to Senator Byrd, Democrat of Virginia, as to five for John F. F. Kennedy of Massachusetts.

The chamber burst into laughter, and as his two stalwart liberal seatmates, Pell of Rhode Island and Morse of Oregon, tendered their congratulations, a fiery blush rose in Senator Byrd's round cheeks.



Nixon Makes It Official
--AP Photo

The tallying proceeded amid a steady chatter. Senate Minority Leader Dirksen huddled with the House leadership. Senate Majority Leader Mansfield and his assistant leader, Senator Humphrey of Minnesota, conferred in the front row. The chaplains of Senate and House had their heads together on one end of the platform.

The reading of the known results was done by four tellers in turn. Only Representative Bolton, Republican of Ohio, managed to put any expression into the old formula: "The certificate seems to be regular in form and authentic, and it appears therefore that . . . ." By emphasizing "seems" and "appears," she brought a note of elegant doubt into the predictable proceedings.

The little suspense that gathered around Hawaii was summarily dispersed by the Vice President, who said that he had reason to believe and was convinced that the certificate sent by Gov. William Quinn "properly and legally portrays the state of affairs there," and gave the State to Kennedy.

Washington, D.C.

Nixon Sums It Up

When the ballots had been counted and the result was again proclaimed, the Vice President suddenly spoke up in what might be his farewell speech to the Congress.

"This is the first time in 100 years," he said, his voice firm and pleasant, his words flowing steadily, "that a candidate for the presidency announced the result of an election in which he was defeated and announced the victory of his opponent. I do not think we could have a more striking and eloquent example of the stability of our constitutional system and of the proud tradition of the American people of developing, respecting and honoring institutions of self-government.

"In our campaigns, no matter how hard-fought they may be, no matter how close the election may turn out to be, those who lose accept the verdict, and support those who win.

He congratulated all who, unlike himself, had won and said they worked "in a cause that is bigger than any man's ambition, greater than any party. It is the cause of freedom, of justice and peace for all mankind.

"It is in that spirit that I now declare that John F. Kennedy has been elected President of the United States and Lyndon B. Johnson Vice President of the United States."

Applause filled the chamber. Said a Democrat: "First shot of the 1964 campaign. I'd say, and it was great."

Rap Ike, Politicos For Drag On Integration

NEW YORK — (UPI) — A group of social scientists has called for forced desegregation in southern schools and one of the group specifically critized President Eisenhower for showing "basic confusion" on the issue.

The scientists issued their conclusions at a symposium on desegregation sponsored by the American Association for the Advancement of Science which is holding its annual meeting here.

ENFORCEMENT

Kenneth D. Clark, associate professor at City College of New York, singled out President Eisenhower in his criticism over the need for strict law enforcement of token integration to change social attitudes of whites to Negroes.

"When he (Eisenhower) talks about 'the need for time' and that we cannot hope to 'change men's hearts and minds overnight,' he demonstrates that he does not understand the difference between desegregation, an objective social, legal and political process, and integration, a subjective, psychological and attitudinal process," Clark said.

The other scientists, representing the scientific fields of sociology, anthropology and psychology, also listed criticism of politicians who urge a "need for time" approach to desegregation.

FRAME OF MIND

They said desegregation, accomplished by legal force such as is being carried out in some southern schools now, must come before integration, which they said was a frame of mind, rather than an actual mixing of the races.

"Prejudices can most easily be changed not by gradualism and moderation, but by strict law enforcement of desegregation under firm leadership," they said in a symposium.

The contributors included; Dr. Inez Adams of Fisk university; Dr. Stella Chess of New York Medical college; Dr. Ruth Landes of Claremont graduate school, and Clark. They cited as evidence studies of desegregation in the Armed Forces, industry, housing and schools.

Ike Predicts Early Return Of Prosperity

Consumer Buying Seen Recharging Economic Batteries

By Bernard D. Nossiter
Staff Reporter

President Eisenhower yesterday told Congress why the thinks prosperity is just around the corner.

In predicting theat "an increase in general economic activity should not be long delayed," the President relied chiefly on consumers to keep up their spending and recharge the economy's batteries.

This optimistic view was the President's last official message, the annual Economic Report.

Despite the seven-month decline in business, Mr. Eisenhower found reason for satisfaction with the present state of affairs. All that has happened, he said, "has helped prepare a solid foundation for a resumption of sustainable growth."

Moreover, he added, the chances are good that the nagging deficit in the Nation's international accounts will be reduced in 1961.

Kennedy Aides Disagree

This over-all appraisal, of course, has been rejected by President-elect Kennedy's advisers. They conclude that the economy is in a recession—a word the President never uses in his 119 page report; that the recovery from the last slump was abortive and that some Federal stimulus is needed.

Even as the President's message went to Capitol Hill, the Commerce Department was reporting that incomes—the major determinant of consumer spending — fell slightly in November and more sharply in December. The declines were the first since the 1959 steel strike.

The President told Congress that the most important thing it can do is to make sure that the Federal Government collects more in taxes from business and individuals than it spends.

Reasons for Cheer

In reviewing 1960, Mr. Eisenhower found these reasons for cheer:

- Total output or gross national product "has been fairly steady" despite the sharp cutback in business buying for inventories. (As reported on Tuesday, the report disclosed that total output in the final quarter of 1960 was the same as in the third quarter, a yearly rate of $503.5 billion. This was only $1.5 billion below the peak rate in the second quarter, although price increases inflated the total for the last six months.)
- The economy isn't troubled by "major maladjustments" because neither business nor consumers have been buying too much on credit.
- "Inflationary pressure has been restrained," with consumer prices rising only 1.4 per cent over the year and wholesale prices holding steady.

Businessmen are still reducing the volume of goods on their shelves and in warehouses, the President observed. But if consumers keep up their spending—and they did in past recessions or "periods of business hesitancy" as the President called them—the pace of the liquidation will diminish and this means a rise in production.

Positive Factors

The President also predicted the economy would be bolstered by increased sales abroad even though the boom in Europe and Japan, chief source of export demand, is slowing down; a revival of the slumping home building industry because increased savings will push down interest rates and mortgage costs; and enlarged spending by Federal, state and local governments.

The President did not say that the Federal contribution to demand would be more than offset by a cut in incomes if Congress followed his advice to create a surplus. He may have assumed that Mr. Kenendy would listen to his own advisers and let the Government run a deficit to simulate demand.

The only negative feature the President found was business investment in plant and machinery. With profits falling and factories idle, he saw reductions until the economy as a whole expands.

Balance of Payments

Mr. Eisenhower saw some comforting aspects in the balance of payments problem, too. While the deficit last year as about as big as the $3.8 billion of 1959, its nature changed. A big rise in exports gave the United States a larger trade surplus; the overall deficit wasn't reduced because investors sent a heavy flow of funds abroad to reap higher interest rates. Now this flow is decreasing and recovery here should push up interest rates, the President reasoned.

However, a recovery here and a reduced pace of demand abroad should narrow the trade surplus. So, the President repeated his request to Western Europe and Japan for help in cutting the deficit by providing more aid to underdeveloped nations.

Frank Appraisals

Beneath the cheery tones, the report contained a franker appraisal of the slump than the President had previously expressed. The economic details, largely the handiwork of Chairman Raymond J. Saulnier of the President's Council of Economic Advisers, frequently mentioned the declines in employment and output that have taken place since the spring.

The key question about 1960 is why did business stop piling up inventories and reduce them. Up to now, the Administration has insisted that this was largely because business was no longer betting on perpetual price increases. In the Economic Report, this reason was cited as a possibility and given less importance. The inventory turnaround was attributed primarily to falling sales, less optimistic expectations, idle plants and falling profits. In other words, the inventory shift was blamed on a drop in demand—the hallmark of a recession—and not regarded as some peculiarly independent factor shaping the economy.

Demand Needs Stimulation

This kind of analysis would suggest that the Government should do something to lift demand. In fact, the report acknowledged for the first time that moves taken last year to stimulate housing, Federal buying and highway building were steps in this direction.

The President even said, as a general proposition, that the Government should "be prepared to take positive steps" to counteract a decline, enacting "emergency measures" or incurring budget deficits.

But he didn't commend this to the Congress. After urging that spending be kept below revenues, he proposed mildly depressing increases in the Government's take through higher postal rates and gasoline taxes. As a third priority, he again asked Congress to lift the interest ceiling on marketable Government bonds, a proposal that many authorities belive hasn't any relevance to the current economic dilemma.

The President noted that unemployment has been rising, that an increasing amount is long-term and that the percentage of married men who are idle is climbing. But he took a restrained view of a proposal Mr. Kennedy is expected to advance soon, Federal payments for workers who have used up their unemployment compensation. Mr. Eisenhower merely suggested that Congress "consider" such a program and then only if unemployment rates are "especially high" and "prolonged."

Replies to Critics

To criticism from Democrats and others that the Nation's pace of economic growth has been lagging, the President had this to say:

"Some temporary acceleration of growth might have been achieved if expectations of price increases had been allowed to persist and to become firmly rooted. But the unsustainable nature of such growth would now be confronting the economy with the need for far-reaching and painful correction. Because action to maintain stability and balance and to consolidate gains was taken in good time, the economy can now look forward, provided public and private policies are favorable, to a period of sound growth from a firm base."

Nixon Proclaims Kennedy President

The Philadelphia Inquirer Philadelphia Pa. 1/7/61 p. 1 col 3 4a

WASHINGTON, Jan. 6 (UPI).—Vice President Richard M. Nixon counted himself out Friday and declared Democrat John F. Kennedy the next President of the United States.

Smiling through much of the 46-minute ceremony at a joint session of Congress, Nixon noted that "this is the first time in 100 years that a candidate for President has announced the results of an election in which he was defeated."

The occasion was the traditional—and constitutionally required—tabulation of the Electoral College votes. Nixon, as President of the Senate, presided over the joint session where the counting was held.

But Nixon took it like a good sport, winning a standing ovation and even arousing House and Senate members to laughter.

The laughter occurred when Alabama's electoral votes, first to be opened, were announced. Five votes went to Kennedy six to Sen. Harry F. Byrd (D., Va.).

A laugh echoed through the House Chamber as Nixon said he was glad to be able to announce that at that point "the gentleman from Virginia was leading."

But, as everyone knew, Kennedy won, 303 electoral votes to Nixon's 219 and Byrd's 15. Thus the will of the Nation's voters was carried out, even though the popular vote margin was much slimmer than the electoral totals indicated.

Sens. Barry Goldwater (R., Ariz.) and Strom Thurmond (D., N. C.) also had their names recorded in the official journals. Thurmond got 14 votes for Vice President and Goldwater, one.

The winner in this contest was Lyndon B. Johnson of Texas, who defeated Nixon's running mate, Henry Cabot Lodge.

LAST-MINUTE SWITCH

Kennedy might have wound up with three fewer votes except that Hawaii's ballots were switched from Nixon to Kennedy at the last minute through a corrected certification from Gov. William F. Quinn.

After announcing the results, Nixon noted the "rather unprecedented" role he was playing. The last time a defeated Presidential candidate officiated at such a ceremony was Feb. 13, 1861, when Vice President John C. Breckenridge proclaimed Abraham Lincoln the winner in a four-man race.

Like Nixon, Breckenridge was a loser, getting 72 of the 303 electoral votes to Lincoln's 180. Like Kennedy, Lincoln failed to get a majority of the popular vote.

Under the circumstances, Nixon said he wanted to make a "somewhat unprecedented" statement.

EXTENDS BEST WISHES

Nixon then extended his "best wishes" to the members of Congress who had been elected, to Kennedy, to Johnson, and to all who "work in the cause that is bigger than any man's ambition—freedom, justice and peace for all mankind."

"No matter how hard fought the campaign, and no matter how close the election, those who lose accept the verdict, and we support those who win," Nixon said.

He called the circumstances a symbol of "the stability of our constitutional form of government."

"In that spirit I now declare John F. Kennedy elected President and Lyndon B. Johnson elected Vice President."

A crescendo of standing applause and cheers rose through the packed chamber and galleries.

NIXON IS CRITICIZED BY JACKIE ROBINSON

The New York Times

Jackie Robinson, a ballplayer known for his fight, charged yesterday that Richard M. Nixon had given up on the Negro vote in the 1960 Presidential election. 3-10-61

In the closing stages of the campaign, Mr. Robinson said, the Vice President had "refused to run his caravan through Harlem because he felt he could not win the Negro vote and could pick up states in the South." p. 15 c

The former second baseman for the Dodgers, the first Negro to play major league baseball, had campaigned hard for the Nixon-Lodge ticket.

He told the New York Republican Club at the Golden Horn Restaurant that all such efforts had gone to no avail when the jailing of the Rev. Martin Luther King became a late-hour campaign issue.

"President Eisenhower did very little in the field of civil rights and the only thing Mr. Nixon had to say about the incident was: 'No comment,'" Mr. Robinson said.

Mr. Robinson, now a business executive, said he was an independent. He said the Republicans had "the tag of being a two-week party" that took positions "with a bang" on issues only during closing stages of a campaign.

He said that President Kennedy was "doing a really good job in almost everything including the field where I thought he might not—civil rights."

Deny New Southern Intelligence Agency Integration Witch Hunter

By AL KUETTNER
(United Press International)

The head of the new Southern Association of Intelligence Agents (SAIA) said Wednesday the organization was created to combat an "alarming" increase in major crimes and to keep subversive activities in check in Dixie.

Lt. H. A. Poole, chief of the security division of the Georgia Bureau of Investigation and president of the organization formed recently in Miami, firmly denied in an interview that it was set up as a "Red hunting" group.

Poole also denied the agency has in mind "witch hunts" on integration matters.

General purpose of the organization, he said, is to exchange information on both criminal and subversive cases with the various investigative officers of the South.

"This problem of exchange of information has been growing for some time and it's hurting law enforcement," Poole said.

He acknowledged that the SAIA would deal with Communist infiltration in the South "when the need arises" but he insisted the Communist problem is not of major importance at present.

"The South is relatively free of this activity and we hope it stays that way," Poole said.

He said the group might be concerned, however, with the influx of "pro Castro agents" through Florida into other parts of the South.

LOOSELY KNIT GROUP

Poole said the organization at present is a lossely - knit group with no dues, no office and no funds. He said expenses will be paid from "nominal" membership dues to be started later and not through tax funds.

He flatly denied the organization will employ "gestapo tactics" or that it has secret society ideas.

"I don't know where it got out that we were meeting in secret," Poole said. "When the organization was formed in Miami, there was a big sign in the Lido Hotel announcing the meeting place."

Poole said the agency was formed because of a growing need among investigative offices in the various southern states for interstate cooperation. He said the FBI does not have jurisdiction over many cases that vitally concern individual states and that, in turn, the state offices have access to criminal and subversive information at times that the FBI does not have.

Poole insisted, however, that his group will cooperate fully with the FBI and is not a competitive outfit. He hopes the FBI will reciprocate.

Poole said crimes that will concern the SAIA include narcotics traffic, sexual vices and "the alarming increase" in robberies.

Asked if the agency would be interested in such groups as the Ku Klux Klan, Poole answered that "we certainly will if any crime is committed."

He said that racial cases "took up less mention than anything else" at the Miami organizational meeting.

34d 1961

GEORGIA POLITICS

The Atlanta Journal & Constitution

Rights Council: To Dine or Not?

Atlanta, Ga.
Jour. 5-7-61 p. 1

By CHARLES POU

The States Rights Council of Georgia, this state's version of Mississippi's Citizens Council, apparently is about broke, and Council President Roy V. Harris wants to have another one of those never-say-die fund-raising dinners in a move toward fiscal respectability.

There's a big hitch to the plan, though: Gov. Vandiver, reportedly fearful the council will get credit for any violence which may come on the school desegregation front this fall, so far is against having the dinner.

So Mr. Harris, some sources say, reportedly is threatening to turn over sponsorship of the dinner to Vandiver's mortal enemy, former Gov. Marvin Griffin.

And Gov. Vandiver's reaction to this, so far, his friends say, is: Let Marvin have it.

The situation may lead to the inevitable, final, name-calling break between Vandiver and Harris which has been shaping up ever since the two men met.

* * *

MR. HARRIS HAS CALLED a secret meeting of council executive directors in Atlanta for a day this week and the decision on the dinner is expected to be made then.

Directors of the organization who were talked to Saturday about the coming meeting appeared uneasy about it and gave the impression they wished the whole thing would just go away.

The council has never really gotten off the ground in Georgia and the bulk of its funds always have come from the annual fund-raising affairs. Some critics of the organization, including its original sponsor, Hugh Grant of Augusta, have charged most of its officials have ever been more interested in politics than segregation.

REPRESENTATIVES of all political camps in the state were asked to join when the council was formed back in September, 1955. But some politicians weren't buying even then, although it was avowed the organization would be non-political.

Jour. 5-7-61

Former Agriculture Commissioner Tom Linder said at the time he would attend the first dinner only if he got a promise from everybody to be present that they wouldn't run for anything during the next four years. He said he got no such assurances. So he did not go.

Last money-raising affair for the council was in Atlanta on Feb. 8, 1960. Speaker after speaker sounded the we'll-never-surrender theme on segregation, although Gov. Vandiver observed even then that "segregation—voluntary segregation" appeared to be coming up on the horizon as the best way of keeping the races separated and harmonious.

* * *

SENS. TALMADGE and Russell were the chief speakers and they talked up a storm on constitutional government, states rights and the like, but both appeared pointedly to stay clear of specifics on the then-pending Atlanta school desegregation case.

Truth is, on the never-say-die business, the state has already died a little, and some past attenders of the council dinners feel new agitation can lead only to violence.

Neutral observers also would welcome less talk from the pro-integration camp.

But, on that dinner: 12 or 15 uneasy men are to make an uneasy decision one day this week. Either way, it's bound to be interesting, and possibly historic.

34d 1961 STATES RIGHTS

JACKSON, MISS., MEETING OF 8 SOUTHERN GOVERNORS
GOV. BARNETT(MISS) CALLED FOR A S A F E PROGRAM
(SOUTHERN ACTION FOR EXPANSION)

States Rights Assaults

Montgomery Advertiser 8l Thurs 7-20-61

Knit Solid Dixie Front

Montgomery Site Picked For Parley

JACKSON, Miss. (AP) — Eight Southern states agreed Wednesday to launch a campaign to strengthen their states rights stands in the wake of new assaults on their segregated social patterns.

Thurs. 7-20-61

The states adopted a four-point program aimed at the twin goals of economic improvements and the "preservation of constitutional government."

The Montgomery Advertiser

Representatives of the states met in a closed session at a hotel. In a brief statement after the session, they told newsmen about the program, but did not go into how they would try to put it into effect. Another meeting was set for Montgomery, Ala., within 60 days.

PAIR ARRESTED

Attending were Govs. Ross Barnett of Mississippi, John Patterson of Alabama, Ernest Hollings of South Carolina and Orval E. Faubus of Arkansas. The governors of Georgia, Florida, Kentucky and Louisiana sent representatives.

As the meeting opened, two Negroes appeared in front of the hotel to protest the session. The two, arrested after ignoring police orders to move, were Richard Haley, 45, of Chicago, field secretary for the Congress of Racial Equality, and Hellen Jean O'Neal, 20, of Clarksdale, Miss., who withdrew from Jackson State (Negro) College in Jackson, just before the picketing.

They carried signs saying, "Let's join the U.S.," "Governors don't forget freedom," and, "Lead us to the future, not the past."

LINKED TO RED GROUP

Haley had been in Jackson since the "Freedom Rides" began May 24 to coordinate CORE activities in Jackson.

Shortly after the arrests, police connected two white riders with a Communist lawyers' group at Los Angeles. Officers gave newsmen copies of a report by the House Committee on Un-American Activities saying Rose Rosenberg, 55, Los Angeles lawyer, and Jean Pestana, 43, Hollywood lawyer, were former members of the Communist party.

The four-point program adopted by the governors called for an expansion of Southern economy, Latin-American trade and research, and for "improvement of the South's position in its fight for the right of self-determination and preservation of constitutional government."

The announcement made no mention of the 247 "Freedom Riders" arrested in Jackson and other desegregation attempts throughout the South in recent months.

Barnett told The Associated Press he bypassed the Southern Governors Conference in calling Wednesday's session because it meets only once each year and "I don't think that's enough."

He denied the new group would constitute a new conference or a conference within the existing organization, but newsmen covering the session felt the effect of the meeting was a new organization.

In a statement given newsmen before the session opened, Barnett called for a "S-A-F-E program — Southern Action for Expansion." He also said he wanted a united South to "strike at the enemies of the South who seem so numerous."

Dixie Governors Aren't Together

The Birmingham News p4

Gov. Ross Barnett has reportedly called a meeting of Southern governors for Jackson next Wednesday. Week-end reports said that Alabama's Patterson and South Carolina's Hollings would be there.

Mon. 7-17-61

Subject: States' rights and race problems.

Birmingham, Ala.

Other Southern governors' attendance was dubious. Florida's Bryant said he couldn't come. Faubus had another engagement, but in keeping with his vague way of approaching many a decision, he was said able to break it—but it wasn't clear he'd attend.

Georgia's Vandiver would send Atty. Gen. Eugene Cook, often an emissary for political and other reasons. Ellington of Tennessee said he'd had no invitation. Louisiana's gittar-governor, Jimmie Davis, wouldn't say anything.

Maybe more than the three "definites" would show up. But even if more did, the meeting couldn't accurately be called a Deep South governors' session. It isn't likely any such meeting, for an announced states' rights or race subject discussion, will again be held soon.

Ellington of Tennessee is not at all in sympathy with, say, a Patterson or Barnett. Bryant of Florida is a segregationist—ran as such—but Florida is "different" and there are strong, effective political pressures in that state which will curb segregationist expression or action by Bryant, though he has reason to believe if it were put to a vote, he'd hold a majority sentiment still as a segregationist. Vastly booming, expanding Florida and even its new governor don't want to be lumped with Patterson or Barnett. The reason is tourists and industrial money.

Vandiver of Georgia has plans for a representative to attend, but Vandiver in yielding along with the Georgia Legislature on Atlanta school desegregation automatically is shuffled into a separate pile from that of Patterson-Barnett.

Davis of Louisiana is firmly segregationist, but Louisiana is a little akin to Florida in this situation. What Davis does will be affected by opinions not in line entirely with his on race or rights.

It seems long ago, now, that there was talk of Southern states uniting to have a solid impact on the Democratic Party when the last nomination was being maneuvered for in early stages. They never got together effectively. It is a poor estimate they soon ever will. Deep South states are not nearly as solid as once they seemed. Sentiments will generally be similar, but when it comes to official courses of action, it is going to be pretty much each state for itself. This of course is being fully noted elsewhere.



Bryant *Ellington*

Rev. K. L. Buford Tuskegee Civic Club Speaker



K. L. BUFORD

TUSKEGEE INSTITUTE, Ala. — (SNS)—The Rev. K. L. Buford was expected to direct his speech at freedom targets for 1961 at the weekly meeting of the Tuskegee Civic Association set for 7:30 Tuesday night, Jan. 3, at the Mt. Olive Baptist Church here.

He is pastor of Butler Chapel AME Zion Church and TCA vice-president. This was the 182 consecutive TCA weekly freedom-action meeting.

Dr. Charles C. Gomillion is president of the association. William P. Mitchell is the executive secretary.

Mrs. Essie D. Morgan Tuskegee Civic Speaker

TUSKEGEE INSTITUTE, Ala. — (SNS) — Mrs. Essie D. Morgan was slated to discuss "Social Self-Image' at the 183rd weekly meeting of the Tuskegee Civic Association set for Tuesday night, Jan. 10 at th Washington Chapel A. M. E. Church.

Others listed to share in the program were the Rev. A. O. Young, Mrs. Billie O. Glover and Dr. C. G. Gomillion, TCA president.

Gomillion, Mitchell Slate TCA Addresses)

TUSKEGEE INSTITUTE, Ala. Dr. C. G. Gomillion and W. P. Mitchell, president and secretary respectively of the TCA, will discuss "The Macon County Voting Case" and "The Tuskegee Gerrymander Case," Tuesday (during the 180th in a series of weekly meetings) at Washington Chapel AME Church. Dr. Gomillion will discuss the former topic and Mitchell will discuss the later.

Engelhardt's Case Studied By Examiner

WASHINGTON (AP) — A Hatch Act violation charge against Alabama Highway Director Sam Engelhardt is in the hands of a Civil Service Commission examiner.

Engelhardt, who also is Alabama Democratic chairman, is charged with violating the federal act which prohibits certain political activities by some officials of state agencies getting federal funds. He was not present at Thursday's hearing.

CSC examiner James M. Nease took the case under advisement after a hearing in Washington Thursday. His recommendation will go to the three-member Civil Service Commission for a final decision.

Two witnesses testified that they regarded federal aid for highways as reimbursements to states for road construction, rather than strictly grant or aid programs. The witnesses were Alfred E. Johnson of Falls Church, Va., executive secretary of the American Association of State Highway Officials, and Clifton Enfield, general counsel of the Federal Bureau of Public Roads.

The CSC, if it rules that Engelhardt violated the act, can ask that he be removed from office. If this isn't done, the federal government can withhold $30,000 —an amount double Engelhardt's annual salary — from Alabama road funds.

Macon Vote Board Shy 1 Member

Johnson Resigns Following Negro Registration Order

By THE ASSOCIATED PRESS

The Macon County Board of Registrars lost one member Tuesday on the heels of a federal court order to register all qualified Negroes.

Cosby Johnson of Rt. 1, Tuskegee submitted his resignation to Gov. John Patterson, leaving the board in racially troubled Macon County with two members, Chairman Frank Smith and Wheeler Dyson of Tuskegee.

Johnson's letter gave no explanation. Dated Monday and sent by registered mail, it merely said: "As of this date, I am submitting my resignation as registrar if Macon County, Ala."

'STICK IT OUT'

Dyson said he has no plans to quit, commenting, "I'm going to stick it out." Smith was unavailable for comment on his plans.

The resignation came three days after U. S. Dist. Judge Frank M. Johnson Jr. ordered the Macon board of register 64 Negroes as voters immediately and to accept the applications of all other qualified Negroes in the future.

Judge Johnson also directed state officials to maintain a "full and functioning" board in the county where Negroes outnumber white residents 5-1 and where voter registration machinery has broken down for months at a time because of past resignations.

STILL FUNCTION

Despite one resignation, the board can still function with Smith and Dyson. State law allows two board members to perform the duties of accepting and processing applications of prospective voters.

Registrar Johnson was appointed Jan. 30 along with Smith and Dyson. The latter had quit as chairman of an earlier registration board shortly before that, but agreed to his reappointment with Johnson and Smith.

TCA To Hear Talk By Mrs. Sullins

TUSKEGEE INSTITUTE, Ala. — Mrs. Della D. Sullins was scheduled to speak at the semi-monthly meeting of the Tuskegee Civic Association set for Tuesday evening, Aug. 15 at the Butler Chapel AME Zion Church.

Her announced topic was, "Where Is Your Heart?"

The association held its regular monthly meeting Sunday at the Chehaw AME Zion Church. Dr. C. G. Gomillion delivered the featured message at the meeting. His subject was, "There Are Things To Do."

TCA has a program of political education, voter-registration and community development. Visible economic and business improvement has been reflected in Macon County since the association launched its civic achievement program.

Bullock County Vote Registration Topic At Tuskegee Civic Meet

TUSKEGEE INSTITUTE, Ala. — (SNS) — "Registration to Vote in Bullock County" was the topic for discussion for the semi-monthly meeting of the Tuskegee Civic Association Tuesday evening at the Butler Chapel AME Zion Church.

The announcement said that among speakers will be Aaron Sellers, one of the leaders in the ballot struggle of Bullock County and Wilbert Thomas, president of the Midway Improvement Association.

Bullock is one of the difficult voter-registration counties in Alabama. Although there are more Negroes than white persons in this county, there are only five Negro voters.

Dr. C. G. Gomillion is president of the TCA.

TCA To Hear Beasley Report On Voter-Registration

TUSKEGEE INSTITUTE, Ala. —(SNS)—D. L. Beasley, a member of the franchise committee of the Tuskegee Civic Association, was scheduled to present a report on the status of voter registration in Macon County at the semi-monthly meeting of the TCA set for 7:30 Tuesday evening, Oct. 10 at the Washington Chapel A. M. E. Church.



D. L. BEASLEY

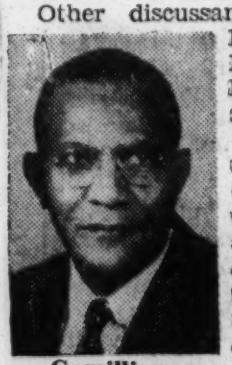
His report was also expected to make some projections as to the future course of voter-registration in this county which only recently acquired a full board of registrars.

The TCA's economic education committee of which James A. Johnson is the chairman conducted a symposium on the topic, "Community Service Thru Credit Union Membership," at the monthly meeting of the TCA held Sunday, Oct. 8, at the Butler Chapel A. M. E. Zion Church.



Johnson

Other discussants included Dr. Ellis M. Hall, H. E. Spencer and Mrs. L. W. Hemmons.



Gomillion

Dr. C. G. Gomillion, president of the Tuskegee Civic Association, announced that a tour would be made of a city-proposed recreational area for the Negro group. The site is in vicinity of Butler Chapel A. M. E. Zion Church.

Tuskegee Association Sets Regular Meeting

TUSKEGEE INSTITUTE — At 8:30 p.m., Nov. 12, at the Greenwood Missionary Baptist Church in Greenwood, the Tuskegee Civic Association will meet. The program will be rendered by the Iota Omega Chapter of the Omega Psi Phi Fraternity, in observance of its annual Achievement Week.

The theme is "New Dimensions For Democracy." The Omegas will honor "The Citizen of the Year, 1961," by presenting him a certificate of recognition.

A business session including the election of a nominating committee to make recommendations as to the officers of the Tuskegee Civic Association during the next year will be held. The public is invited to hear Dr. J. A. Kennedy speak on the subject: "New Dimensions For Democracy."



HOW NEGROES WERE FENCED OUT — Dr. Charles C. Gomillion, president of the Tuskegee Civic Association, explains to students from Stanford University how Negroes were gerrymandered out of the city of Tuskegee by a 1957 Alabama statute, which fenced all colored citizens except five out of the city. The students are on a "fact-finding" tour of the South. Left to right are James Maina of Kenya, Dr. Gomillion, Arthur Spiegel, chairman of the Stanford African Desk of the Institute of International Relations; and Bemekole Decca of Liberia.

GOMILLION REPORTS "NO PROGRESS" IN RELATIONS

By RAY BOONE

TUSKEGEE INSTITUTE, Ala.—Dr. Charles C. Gomillion, leader in the Negro drive for voter registration in Macon County, says there has been "no progress" in race relations since he came here 32 years ago.

Dr. Gomillion, president of the Tuskegee Civic Association, made the statement Tuesday, December 27, in a session here with six African and three white students from Stanford University who are touring the South on a "fact-finding" mission.

Although there has been considerable "material progress" among Negroes, the civil rights leader said, there is no evidence that racial harmony has been promoted.

"No white person in Macon County will meet with Negroes and discuss any type of problem," said Gomillion, head of Tuskegee Institute's Department of Social Science.

SPEAKING OF PAST

Many whites would probably say race relations were better years ago, he told the students, who listened with rapt attention. "But that's because the Negro was staying in his so-called 'place' " he added.

Elaborating on the lack of communication between the races, he said Negroes and whites come in contact "only on business terms." They meet only as merchant and customer or employer and employee," he said.

However, he reasoned that even this small degree of communication is diminishing, especially since Macon County Negroes have restricted trade with white merchants since 1957, closing the town's movie theater and several stores.

The withdrawal of trade by Negroes was touched off after all but five Negro voters were fenced out the city of Tuskegee by 1957 Alabama stature that changed the city boundaries.

The Supreme Court unanimously reversed the dismissal of a suit to (determine the constitutionality of the 1957 stature) by lower courts and sent the case back for trial.

BIAS AT THE POLLS

Dr. Gomillion said that the biggest problem facing the Negro is getting registered, a voter prerequisite in Macon County. He charged that the board of registrars apply discriminatory tactics in keeping the Negro from polls.

Discrimination continues to follow the Negro at the polls, he said. "All 108 workers at the polls are white. Not only is this political discrimination, but economic discrimination also."

In Macon County, Negroes outnumber of whites by over 5-1, continued Dr. Gomillion. There are 26,000 Negroes in the county, but only 1,000 are registered. On the other hand, whites number only 5,000, but 3,000 are registered, he pointed out.

"The only solution to the (voting) problem is to have the federal government guarantee qualified Negroes the right to vote," he said.

Despite deteriorating race relations in Macon County, some good hos resulted for the Negro, he said. "We have more homes, less credit, and higher savings. Negroes have stopped living above their means."

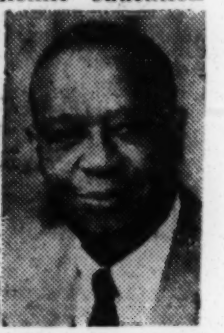
TCA To Hear Beasley Report On Voter-Registration

TUSKEGEE INSTITUTE, Ala. —(SNS)—D. L. Beasley, a member of the franchise committee of the Tuskegee Civic Association, was scheduled to present a report on the status of voter registration in Macon County at the semi-monthly meeting of the TCA set for 7:30 Tuesday evening, Oct. 10 at the Washington Chapel A. M. E. Church. His report was also expected to make some projections as to the future course of voter-registration in this county which only recently acquired a full board of registrars.

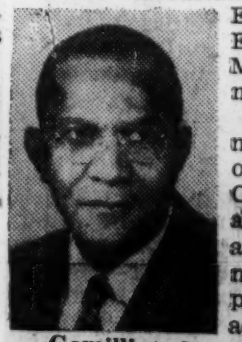


D. L. BEASLEY

The TCA's economic education committee of which James A. Johnson is the chairman conducted a symposium on the topic, "Community Service Thru Credit Union Membership," at the monthly meeting of the TCA held Sunday, Oct. 8, at the Butler Chapel A. M. E. Zion Church.



Other discussants included Dr. Ellis M. Hall, H. E. Spencer and Mrs. L. W. Hemmons.



Gomillion D.

Dr. C. G. Gomillion, president of the Tuskegee Civic Association, announced that a tour would be made of a city-proposed recreational area for the Negro group. The site is in vicinity of Butler Chapel A. M. E. Zion Church.



Tells How Tuskegeeans Lost Votes

Dr. Charles C. Gomillion, president of the Tuskegee Civic Association, explains to students from Stanford University how Negroes were gerrymandered out of the city of Tuskegee by a 1957 Alabama statute, which fenced all colored citizens except five out of the city.

The students are on a "fact-finding" tour of the South. From left to right are James Maina of Kenya, Dr. Gomillion, Arthur Spiegel, chairman of the Stanford African desk of the Institute of International Relations and Bemekole Decca of Liberia.

Vote Registration Leader Says:

Race Relations Progress Absent In Tuskegee Area

By RAY BOONE

TUSKEGEE INSTITUTE, Ala. — Dr. Charles C. Gomillion, leader in the drive for Negro voter registration in Macon county, says there has been "no progress" in race relations since he came here 32 years ago.

Dr. Gomillion, president of the Tuskegee Civic Association, made the statement in a session here with six African and three white students from Stanford University who are touring the South on a "fact-finding" mission.

ALTHOUGH there has been considerable "material progress" among Negroes, the civil rights leader said, there is no evidence that racial harmony has been promoted.

"No white person in Macon County will meet with Negroes to discuss any type of problem" said Dr. Gomillion, head of Tuskegee department of social science.

Many whites would probably say race relations were better years ago, he told the students, "but that's because the Negro was staying in his so-called 'place,!"

NEGROES AND whites come in contact "only on business terms," he said. "They meet only as merchant and customer or employer and employee." Even this small degree of communication is diminishing, because Macon County Negroes have restricted trade with white merchants since 1957, closing the town's movie theater and several stores, the educator stated. The withdrawal of trade by Negroes was touched off after all but five Negro voters were fenced out the city of Tuskegee by a 1957 Alabama stature that changed the city boundaries.

THE SUPREME Court unanimously reversed dismissal of a suit (to determine the constitutionality of the 1957 statture) by lower courts and sent the case back for trial.

Dr. Gomillion said that the biggest problem facing the Negro is getting registered, a voter prerequisite in Macon county. He charged that the board of registrars applies discriminatory tactics in keeping the Negro from the polls.

"All 108 workers at the polls are white," he said although there are 26,000 Negroes in the county, with only 1,000 registered, whites number only 5,000, but 3,000 are registered.

"THE ONLY solution to the (voting) problem is to have the federal government guarantee qualified Negroes the right to vote," he said.

Despite deteriorating race relations in Macon County, some good has resulted for the Negro, he said. "We have more homes, less credit, and higher savings. Negroes have stopped living above their means."

The Louisville Defender
Louisville, Ky
Thurs. 1-5-61
P.S



HOW NEGROES WERE FENCED OUT: Dr. Charles C. Gomillion, president of the Tuskegee Civic Association, explains to students from Stanford University how Negroes were gerrymandered out of the city of Tuskegee by a 1957 Alabama statute, which fenced all colored citizens except five out of the city. The students are on a "fact-finding" tour of the South. Left ot right are: James Maina of Kenya, Dr. Gomillion, Arthur Spiegel, chairman of the Stanford African Desk of the Institute of International Relations; and Bemakole Decca of Liberia.

Dr. Gomillion Says No Progress At Tuskegee

The Louisville Defender
Louisville, Ky.

By Ray Boone

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Dr. Gomillion, president of the Tuskegee Civic Association, made the statement Tuesday, December 27, in a session here with six African and three white students from Stanford University who are touring the South on a "fact-finding" mission.

Although there has been considerable "material progress" among Negroes, the civil rights leader said, there is no evidence that racial harmony has been promoted.

"No white person in Macon County will meet with Negroes to discuss any type of problem," said Gomillion, head of Tuskegee Institute's Department of Sorial Science.

Many whites would probably say race relations were better years ago, he told the students, who listened with rapt attention. "But that's because the Negro was staying in his so-called 'place,' " he added.

Elaborating on the lack of communication between the races, he said Negroes and whites come in contact "only on business terms." "They meet only as merchant and customer or empoyer and employee," he said.

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SEEGER GETS YEAR IN CONTEMPT CASE

The N.Y. Times

Singer Is Given Concurrent Sentences on 10 Counts —Appeal Is Planned

New York

By EDWARD RANZAL

Pete Seeger, 42-year-old folk singer, was sentenced yesterday to one year in prison for refusing to tell the House Un-American Activities Committee about possible Communist affiliations. Federal Judge Thomas F. Murphy asked the singer, "Would you want to tell me now if you are now or have been a member of the Communist party?"

"I decline to answer," Mr. Seeger said.

Mr. Seeger, who lives with his wife and three children in Beason, N. Y., was convicted March 29 of ten counts of contempt of Congress. He appeared before the House committee in 1955 when it was investigating possible infiltration of Communists into the entertainment field.

Judge Murphy imposed a one-year sentence on each of the ten counts, to run concurrently. He also assessed the singer court costs for the prosecution, estimated at $500.

Lawyer Obtains Bail

After pronouncing sentence, Judge Murphy remanded the singer. However, Mr. Seeger's lawyer, Paul Ross, obtained bail of $2,000 from the United States Court of Appeals pending appeal.

Twenty patrolmen were in the United States Court House in anticipation of a demonstration; it never materialized.

However, 100 of the singer's supporters tried to crowd into an eleventh-floor courtroom for the sentencing. About eighty managed to get seats. The rest stood patiently in Foley Square park, across the street from the courthouse entrance.

The supporters were, in the main, students who appeared to be about 15 years old. Later they all gathered in the park, but after several hours broke up and left.

Mr. Seeger arrived in court with his wife. He carried his banjo in a canvas-covered case. His supporters were not vocal, but gazed adfiringly at him.

Before the sentencing, Irving Younger, assistant United States attorney, told Judge Murphy that on three occasions Mr. Seeger had been identified as a party member. He said that the singer, who had attended Harvard for two years, had performed before twenty-four organizations described as subversive.

Called Serious Breach

"I am aware that participation in Communist party activities, in itself, is not a crime, but he could have been of service had he chosen to answer," Mr. Younger said. "By committing this crime he has breached one of the most serious obligations of United States citizenship."



The New York Times

SENTENCED FOR CONTEMPT OF CONGRESS: Pete Seeger, folk singer, arrives at U. S. Court House, Foley Square. He was given a year in prison for refusing to discuss his possible Communist affiliations when he appeared before House Un-American Activities Committee in 1955.

HOUSE VOTES FUND FOR RED INQUIRIES

The N.Y. Times

Backs Unit on Un-American Activities by 412 to 6

New York

By United Press International

WASHINGTON, March 1 —The House of Representatives, in an endorsement of its Committee on Un-American Activities, gave the investigating group $331,000 today to carry on its work in the current year. The vote was 412 to 6 for the appropriation.

The action followed an exchange in which the committee chairman, Francis E. Walter, charged that Representative James Roosevelt apparently did not share the view that communism was evil and un-American.

Mr. Roosevelt, Democrat of California, had charged in The Congressional Record that the committee was "a bad institution, which has tended to grow worse in its depredations on our liberties as well as on our democratic reputation in the world today."

Mr. Walter, Democrat of Pennsylvania, discussing Mr. Roosevelt's statement, told the House:

"I was staggered at the exent to which it was based on faulty reasoning, distortion, falsehood and total failure to comprehend even remotely the nature of communism.

"The only way I can interpret his statement is that he objects to the fact that the committee operates on what it believes to be a self-evident principle that communism is evil and un-American. Apparently he does not share that view."

Mr. Walter said that as far as he was concerned "there are no two sides" to communism. This statement drew applause from the House and some from the galleries.

But Representative William Fitts Ryan, Democrat of Manhattan, supported Mr. Roosevelt. He said, "many thoughtful, responsible, sincere citizens share my belief that the Committee on Un-American Activities has violated fundamental rights and privileges on which our nation is founded."

Amendment Bid Fails

Mr. Roosevelt and Mr. Ryan tried to open the bill to amendments. They were defeated, 272 to 4, Representatives Robert W. Kastenmeier, Democrat of Wisconsin, and Thomas L. Ashley, Democrat of Ohio, casting the other yes votes.

Mr. Roosevelt then moved to send the bill back to committee with instructions to write in a limitation that he said had already been placed on all other House investigating committees. This was a ban on investigating anything already under inquiry by another committee.

This was shouted down.

Voting against the bill on final passage were Representatives Roosevelt, Ryan, Kastenmeier, Ashley, Edith Green, Democrat o fOregon, and Barratt O'Hare, Democrat of Illinois.

When Mr. Walter took the well of the House to defend the appropriation, members gave hime an unusual standing ovation. This presumbably was partly an endorsement of his committee and partly a tribute to him. He announced earlier this week that we would not seek re-election after the current Congress.

Un-America Probe Hits House Snag

The Montgomery Advertiser

Montgomery

The House Ways and Means Committee, working late and behind closed doors, postponed action again Wednesday on a bill to create an un-American activities committee in Alabama.

The measure by Rep. John Hawkins of Jefferson County was introduced on the opening day of the 1961 session of the legislature May 2 and brought up in committee the following day but carried over until Wednesday's meeting.

It was discussed Wednesday morning, but the vote was delayed until committee members went into executive session late in the afternoon.

It was in the closed-door meeting that the committee decided to postpone further action until a later meeting.

HAWKINS WARY

The bill would create a permanent legislative committee to look into any evidence of un-American activites in the state, particularly in racial troubles.

Hawkins told the committee last week that there is reason to believe Communist agents have been active in some racial flare-ups in Alabama in recent months.

The Ways and Means Committee did approve several less controversial bills, including three by Rep. Pat Boyd of Pike County to strengthen the state's competitive bid laws.

One would require bids on all purchases exceeding $500 instead of the present $800 limit; another would define highway maintenance as public improvements on which bids would be necessary; the third would make competitive bidding mandatory on the sale of state-owned property.

Braden surrenders; Kennedy petitioned

Sat. 5-13-61

ATLANTA — Seventeen Southern leaders have initiated a petition to President John F. Kennedy to free integration worker, Carl Braden of Louisville, Ky.

Braden surrendered to the U.S. marshal here May 1 to begin serving a one-year prison sentence for contempt of the House Un - American Activities Committee.

A field secretary and editor for the Southern conference Educational Fund, Braden refused to answer committee questions concerning his integration movement activities on grounds that such investigations violate the rights of free speech, association and assembly guaranteed by the First Amendment.

Initiators of the petition are the Rev. William B. Abbot, Norfolk, Va.; the Rev. Ralph Abernathy, Montgomery, Ala.; Mrs. Sarah Patton Boyle, Charlottesville, Va.; Carl P. Brannin, Dallas, Texas; James McBride Dabbs, Mayesville, S.C.;

The Revs. W. W. Finlator, Raleigh, N.C.; Clarence Jordan, Americus; Rev. Martin Luther King Jr., Atlanta; James M. Lawson Jr., Shelbyville, Tenn.; Bishop Edgar A. Love, Baltimore; Miss Dorcas Ruthenburg, Louisville, Ky.;

The Rev. Fred L. Shuttlesworth, Birmingham, Ala.; the Rev. C. K. Steele Sr., Tallahassee, Fla.; Bishop C. Ewbank Tucker, Louisville, Ky.; the Rev. Wyatt Tee Walker, Atlanta; Aubrey W. Williams, Montgomery, Ala., and Marion A. Wright, Linville Falls, N.C.

ACLU Seeks End Of Committee

NEW YORK — (UPI) — The American Civil Liberties union (ACLU) has released a statement signed by 250 leading American professors calling for the abolition of the House Committee on Un-American Activities.

The statement called for the abolition on the ground the committee "has repeatedly undermined the freedom essential for national well-being."

The statement added that the committee "continues to abridge citizens' rights of free speech and association (and) we call upon the House of Representatives to vote it out of existence."

"To perpetuate this committee," the statement said, "is to perpetuate a threat to our liberties."

The ACLU said the professors who signed the statement are actively engaged in teaching and come from 79 colleges and universities, including many of the major educational institutions.

At Rocket Center

FBI Investigating Employes' Loyalty

Jan. 4-30-61

WASHINGTON AP) — Loyalty of eight employes at the big rocket center at Huntsville, Ala., is being investigated by the FBI, the House Space Committee reported Saturday.

The committee said three other persons at the installation, called the Marshall Space Flight Center, have resigned while facing dismissal for "serious character defects." Dismissal proceedings have been started against two more.

Gets Information.

The committee said the information was submitted to it by Albert F. Siepert, director of business administration for the National Aeronautics and Space Administration.

Siepert was asked to furnish the information after testifying on clearance of NASA employes recently at an open committee hearing.

Siepert said that when the Huntsville agency was transferred from the Army to NASA last July, 4,300 Army civilian employes went along with it. Of these, 4,122 have been placed in what NASA called sensitive positions; 3,843 have had interim clearance pending full investigations.

Siepert told the committee earlier that previous Army clearances of most of these employes had been made a number of years ago and it was necessary to conduct new investigations.

The Marshall center is developing Saturn, the 1½-million-pound-thrust rocket for space exploration.

Under the law, the Civil Service Commission conducts clearance investigations for NASA at a cost of $350 per case. So far it has completed 650 investigations at Marshall and referred eight of these to the FBI.

The law "requires that when the Civil Service Commission develops any data which may reflect upon the loyalty of the subject, the matter is referred to the FBI for investigation," NASA said.

NASA also said three persons "resigned while proceedings were pending to dismiss them because of serious character defects. Removal proceedings will be initiated shortly in the case of two other cases discovered as a result of these investigations," NASA said.

There was no elaboration on these cases. Often in such resignations or dismissals, the persons involved are not accused of disloyalty but are regarded as bad risks because of homosexuality, heavy drinking, use of narcotics or other bad habits.

High Court Tells Reds To Register

Mon. 10-10-61.

By CHARLOTTE G. MOULTON

WASHINGTON (UPI) — The Communist Party in the United States Monday lost its fight in the Supreme Court to keep from registering as an agent of the Soviet Union.

Communist leaders promptly declared they would defy the court's order and Atty. Gen. Robert F. Kennedy announced the government was ready to prosecute them if they did. If convicted, the Communist officials would face a five-year jail term.

The high court dealt with the case on its first working day of the fall session. In a brief order, it refused to re-examine its June 5 ruling that the U.S. Communist Party must register as a conspiracy agent of Russia.

ORDERS APPEALED

The Subversive Activities Control Board has ordered the party three times to register with the Justice department. Each time appeals permitted a reprieve.

After the court announced its decision, Kennedy issued a statement saying the party had exhausted "its last legal recourse and must register. He added: "We will enforce the law."

Several hours later, Gus Hall and Ben Davis, the party's general secretary and national secretary, respectively, declared in New York that party officials would continue to refuse to register.

Hall said the party would not halt what he called its "struggle to defend the Constitution and the Bill of Rights." Davis said it was "party policy" not to register.

AWAITS ORDER

Kennedy said in his statement that the registration rule will become final as soon as the Supreme Court issues its formal order in the case. This is expected in a few days.

Then, he said, within the following 30 days the party must register and file with the Justice department a list of names and addresses of its officers and members during the past year, an accounting of its finances and a list of printing presses owned or controlled by the party or its members.

The party faces a $10,000 fine for each day of non-compliance after the deadline. Officers and members face the same, plus five years in jail.

Mon. 10-10-61

OTHER RULINGS

In addition to the ruling on the party, the court also:

1. Agreed to hear an appeal by a Negro leader in Memphis, Tenn., who is protesting racial segregation in restaurant and restroom facilities of the Memphis municipal airport. The case was brought by Jesse Turner, executive vice president and cashier of a bank and a member of the executive committee of the Shelby County Democratic Party.

2. Refused for the time being to decide whether federal law permits a state to ban the "agency shop," a modified form of a union shop. The case originated in Kansas. Under an agency shop contract, a non-union worker must pay the union a sum equal to dues and assessments to keep his job.

REFUSES APPEALS

3. Turned down three appeals in which Louisiana authorities had lost school desegregation cases in lower courts. The lower courts had upheld orders to end segregation in various school districts in the state.

4. Refused to reconsider its decision of last May 29 which upheld the constitutionality of Pennsylvania's "blue laws" ordering Sunday closing. The court last session upheld the blue laws of Pennsylvania, Massachusetts, Maryland, Ohio and South Carolina.

5. Declined to review a state supreme court decision which held that the American Civil Liberties Union was not required to file a loyalty oath before being allowed to use school property for a meeting.

Court Backs House Unit In Red Case

5 Justices Uphold Convictions for Defying Inquiry

By James E. Clayton
Staff Reporter

Over bitter protests from four dissenting Justices, the Supreme Court yesterday upheld the contempt-of-Congress convictions of two men who refused to answer questions asked by the House Un-American Activities Committee.

The two, Frank Wilkinson and Carl Braden, had argued that the Committee called them to testify only because they were publicly criticizing it. This, they contended, was beyond the Committee's legitimate power.

Supreme Cour rules that Federal courts should not step in to bar state courts from using evidence obtained from wiretaps.
Page A4.

The Court, however, said that it would not go into the motivation of the Committee beyond establishing that the questions it asked were related to a valid legislative inquiry.

Stewart Writes Opinion

The majority, in an opinion by Justice Potter Stewart said that the Committee had authority to inquire into Communist propaganda and infiltration in the South and that it had sufficient reason to question Braden and Wilkinson about this.

The dissenting Justices said that the two men were called only because they had opposed the Committee's investigations.

Three of the four dissenters said in an opinion by Justice Hugo L. Black that the Court was really ruling that the only limitation on the power of the Committee "to harass its opponents" is its own self-restraint. Black added that self-restraint was a characterisitc which has not been predominant in the Committee's work over the past few years."

Black also took the opportunity to launch his sharpest attack on the general line the Court has followed in cases involving First Amendment rights. He charged that the majority has stripped the Amendment of "the rigid protection of liberty its language imports" and made it "a poor flexible limitation."

Braden and Wilkinson were called as witnesses when the Un-American Activities Committee held hearings in Atlanta in 1958. Both apparently were there to stir up opposition to the Committee and were subpoenaed after the Committee learned they were in town.

The Committee had once been told by a witness that Wilkinson was a member of the Communist Party; the Senate Internal Security Subcommittee had been told the same thing about Braden. The Un-American Activities Committee also said that it had information that both men were connected with organizations which it said were attached to the Communist Party.

These circumstances, Justice Stewart said, make it "entirely logical" for the Committee to call the men to testify. The fact that they may, at the moment, have been only criticizing the Committee did not exempt them from testifying, Stewart said.

The legislative interest, he added, "was not the activity in which the petitioner might have happened at the time to be engaged, bput in the manipulation and infiltration of activities and organizations by persons advocating overthrow of the Government."

Of this, Justice Black said the evidence the Committee had produced about the Communist activities of the two men was "almost totally worthless." If the mere fact that someone has been called a Communist is sufficient to allow the Committee to question him, Black said, the Court is giving apparent respectability to a practice which conflicts with concepts of justice and due process of law.

In delivering his opinion in the second of the cases, Justice Stewart departed from the written text as if to answer this criticism. "It should be unnecessary to add that the decisions in these two cases do not depend upon or do not reflect the Court's view as to . . . the wisdom of the conduct of the House Un-American Activities Committee," he said.

Justice Black, joined by Chief Justice Earl Warren and Justice William O. Douglas, said that the Barenblatt case should be overruled. Justice William J. Brennan Jr. dissented from the Court's opinion on the grounds that the Committee's questioning of the two men was "exposure for exposure's sake."

The result of the decisions, Justice Black said, "is that from now on anyone who takes a public position contrary to that being urged by the House Un-American Activities Committee should realize that he runs the risk of being subpoenaed to appear . . . of being questioned with regard to every minute detail of his past life, of being asked to repeat all the gossip he may have heard . . . of being held up to the public as a subversive and a traitor . . . regardless of the outcome of that hearing. With such a powerful weapon in its hands, it seems quite likely that the Committee will weather all criticism, even though justifiable, that may be directed toward it."

Braden, Wilkinson Starting Terms for Defying Inquiry

Carl Braden and Frank Wilkinson, who refused to tell a House subcommittee whether they had ever been Communists, surrendered here Monday and began serving one-year prison terms for contempt of Congress.

Seventeen white and Negro leaders in the South, including the Rev. Martin Luther King Jr., of Atlanta, immediately began a drive to petition President John F. Kennedy for executive clemency for Braden, a field secretary for the biracial Southern Conference Educational Fund.

Braden and Wilkinson surrendered at the U.S. marshal's office here after their last ditch plea to alleviate their sentences was turned down Monday morning at Newnan by U.S. District Court Judge Boyd Sloan.

The marshal's office said Braden, of Louisville, Ky., and Wilkinson, of Los Angeles, will be held in Fulton County jail until authorities in Washington designate the federal prisons where they'll serve their terms.

The contempt convictions, which were upheld last month by the U.S. Supreme Court, grew out of the two men's refusal to answer questions during a 1958 hearing in Atlanta of the House Un-American Activities subcommittee.

Wilkinson has been working for the National Commitee to Abolish the House Un-American Activities Committee.

Richard Arens, staff director of the House committee, testified during Braden's trial here that "it was our information that Mr. Braden was a member of the Communist party."

During Wilkinson's trial, Arens said the committee had information that Wilkinson had been sent into the South to "spearhead" Communist infiltration.

The petition to Kennedy declares that executive clemency for Braden would "reaffirm the position of the federal government supporting peaceful and orderly integration in the South."

Besides King, the sponsors of the petition were listed as the Rev. Wyatt Tee Walker, Atlanta; the Rev. Clarence Jordan, Americus; the Rev. Fred L. Shuttlesworth, Birmingham; the Rev. Ralph Abernathy, Montgomery; the Rev. William Abbot, Norfolk; Mrs. Sarah Patton Boyle, Charlottesville; Carl P. Brannin, Dallas; James McBride Dabbs, Mayesville, S.C.; the Rev. W. W. Finlator, Raleigh; the Rev. James M. Lawson Jr., Shelbyville, Tenn.; Bishop Edgar A. Love, Baltimore, Miss Dorcas Ruthenburg, Louisville; the Rev. C. K. Steele Sr., Tallahassee; Bishop C. Ewbank Tuttle, Louisville; Aubrey Williams, Montgomery, and Marion A. Wright, Linville Falls, N.C.

Negroes Denounce Anti-Red Committee

House Group Branded As Foe Of Integration

ATLANTA, May 2. (UPI) — Negro leaders across the South Tuesday denounced the House Un - American Activities Committee as a foe of integration and called on President Kennedy to reverse the conviction of a man who defied the group.

Joining in the protest were Rev. Martin Luther King Jr. and 16 other Negro leaders who are in the forefront of the regionwide movement to break down segregation barriers.

The protest was touched off by the jailing of Carl Braden of Louisville, Ky., field secretary for the Southern Regional Education Fund — an organiation which professes to be dedicated to complete desegregation in the South.

Braden and Frank Wilkinson of Los Angeles were convicted in 1959 of refusing to tell the House committee whether they were communists. After two years of court appeals, they finally surrendered in Atlanta Monday to begin serving one-year prison terms.

King said he and his colleagues were "not upholding communism in any way. We simply feel the committee should not be used to thwart integration."

He said he was convinced that Braden and Wilkinson, particularly Braden, were being "punished for their integration activities.

"We see the rise of 'McCarthyism' in the South again because all other weapons of the segregationists have failed," King said. He called for the abolishment of the investigative group because "it is the most un-American of committees."

Among those supporting King's protest was Rev. James M. Lawson Jr. of Shelbyville, Tenn.

Un-American committee for state urged

Creation of an Alabama legislative un-American activities committee to help investigate activities of Communists and other subversives was urged yesterday by State Rep. John H. Hawkins Jr. of Jefferson.

Hawkins, Birmingham businessman, has drafted a bill to set up a joint House-Senate committee patterned somewhat after the congressional House un-American activities committee. He said several other legislators would join in helping sponsor the measure which he will introduce when the Legislature meets Tuesday at Montgomery.


HAWKINS

"As we know, communism is something that is becoming more of a threat every day," said Hawkins, in pointing out

that this country is now engaged in fighting a psychological war with communism in the United States and in other parts of the free world.

"We can no longer sit back and say this Red menace doesn't exisit," added Hawkins. "The Communists are now 90 miles from the coast of Florida."

HAWKINS, IN urging action, asserted "the Communists are dedicated to the eventual conquering of all the free peoples of the world. The Communists have no relation. Their aim is to control countries were Christianity prevails.

"My bill creates a committee to investigate the activities of persons, groups or organizations who seek to destroy the Christian ideals of citizens of Alabama and America."

Rousing Vote Given Un-American Probers

WASHINGTON, March 1 (UPI)—The House, in an overwhelming endorsement of its Committee on Un-American Activities, gave the investigating group $331,000 today to carry on its work in the current year.

The vote was 412 to 6 for the appropriation.

The action followed an exchange in which committee chairman Francis E. Walter, D-Pa., charged that Rep. James Roosevelt, D-Calif., apparently does not share the view that communism is evil and un-American.

Roosevelt had charged in the Congressional Record that the committee is "a bad institution, which has tended to grow worse in its depredations on our liberties as well as on our democratic reputation in the world today."

Walter, discussing Roosevelt's statement, told the House:

"I was staggered at the extent to which it was based on faulty reasoning, distortion, falsehood, and total failure to comprehend even remotely the nature of communism.

"The only way I can interpret his statement is that he objects to the fact that the committee operates on what it believes to be a self-evident principle that communism is evil and un-American. Apparently he does not share that view."

Walter said that as far as he is concerned "there are no two sides" to communism — a statement that drew general applause from the House and some from the galleries as well."

But Rep. William Fitts Ryan, D-N.Y., supported Roosevelt. He said, "Many thoughtful, responsible, sincere citizens share my belief that the Committee on Un-American Activities has violated fundamental rights and privileges on which our nation is founded."

Further Attempts

When the showdown state was reached, Roosevelt and Ryan tried to open the bill to amendments. They were defeated 272 to 4 with Reps. Robert W. Kastenmeier, D-Wis., and Thom-

Florida Probers Subpoena Braden

Tallahassee, Jan. 26 (AP)—The Florida Legislative Investigating Committee has summoned ardent integrationist Carl Braden of Louisville to appear before it here February 9.

Braden, field secretary for the Southern Conference Educational Fund and associate editor of the Southern Patriot, was served with a subpoena at Daytona Beach Wednesday night while attending a meeting of the Volusia County chapter of the National Association for the Advancement of Colored People.

The committee, which will go out of existence when it reports to the Legislature in April, has embarked on an investigation of possible Communist infiltration into Florida chapters of the N.A.A.C.P.

"I will refuse to answer any questions put to me by this committee on grounds of the First Amendment to the United States Constitution which guarantees freedom of speech, press, worship, assembly, and petition," Braden said.

"This committee operates in violation of these rights. . . . Its sole purpose is to harass integration workers under the pretext of looking for 'subversives'."

Braden has been cited for contempt of Congress for refusing to answer similar questions put to him by the House Un-American Activities Committee. His appeal of a one-year prison sentence is pending before the United States Supreme Court.

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The committee, which goes out of existence when it reports to the 1961 legislature in April, has been stymied the past two years by litigation filed by Florida NAACP officials challenging its authority.

Rep. William O'Neill of Marion County, the committee chairman, said Braden was the only one to be subpoenaed to date but there was a possibility other subpoenas would be issued later.

REFUSE TO ANSWER

The committee has embarked on an investigation of possible Communist infiltration into Florida chapters of the National Association for the Advancement of Colored People.

O'Neill declined to say what questions would be put to Braden.

Braden said he had been discussing the committee's activities and the case of three Negro ministers investigated by the group when he was served.

"I will refuse to answer any questions put to me by this committee on grounds of the First Amendment to the U.S. Constitution which guarantees freedom of speech, press, worship, assembly and petition," Braden said.

'SOLE PURPOSE'

"This committee operates in violation of these rights . . . its sole purpose is to harass integration workers under the pretext of looking for 'subversives'."

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In 1954 Braden aided a Negro family to purchase a house in an all-white section of Louisville, Ky., and was sentenced to 15 years for sedition. Two years later the U.S. Supreme Court reversed his conviction.

Integration Leader Vows No Answers

TALLAHASSEE, Fla. (AP)—The Legislative Investigating Committee has summoned ardent integrationist Carl Braden to appear before it here Feb. 9 in its first meeting in about a month.

Braden, field secretary for the Southern Conference Educational Fund, Inc., and associate editor of the Southern Patriot, was served with a subpoena at Daytona Beach Wednesday night while attending a meeting of the Volusia County Chapter of the NAACP.

The committee, which goes out of existence when it reports to the 1961 legislature in April, has been stymied the past two years by litigation filed by Florida NAACP officials challenging its authority.

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timony from R. J. Strickland, its chief investigator, that he had received literature regularly from the Southern Conference Educational Fund under the assumed name.

Braden Is Accused of Using Negroes to Push Communism

TALLAHASSEE, Feb. 9 (AP)—The Florida Legislative Committee charged today that integrationist Carl Braden has no desire to further the cause of Negroes in the South but is merely using them to "carry forth the Communist doctrine."

The chairman, Rep. William O'Neill of Ocala, charged also that persons in the National Association for the Advancement of Colored People are "associated with, encouraging and participating in subversive activites."

"There is no other conclusion you can reach from the evidence," he said.

O'Neill, ending a day-long hearing into Braden's integrationist activites in Florida, said the committee was hoping to develop laws to curb such organizations as the Southern Conference Education Fund, Inc., of which Braden is field secretary.

He said the committee would attempt to draw up such laws for the 1961 session of the Florida Legislature "if any can be drawn in view of the U.S. Supreme Court decisions."

O'Neill said the Southern Conference had been repeatedly labeled as a Communist front organization.

Braden, of Louisville, Ky., appeared at the hearings but refused to testify. He listened to secret witnesses planted by the Florida committee at meetings he had attended. Then he abruptly left the proceedings and did not reappear.

One of the secret witnesses of the committee was an employe of the State Road Department, Ernest Salley of DeLand, who testified that Braden didn't know he was working secretly with the committee until he got into the chair and began answering questions.

Salley rejected the legal counsel of a Negro attorney, Len Holt of Norfolk, Va., whom he said Braden had helped obtain.

Another secret witness was a former secretary for the committee, Mrs. Mary Mueller, formerly of Tallahassee, now a teacher at Mobile, Ala. The third was a grey-haired mother of three, Mrs. C. C. Collins, DeLand.

Most of the testimony of Salley, Mrs. Collins and Mrs. Mueller revolved around a meeting of integration leaders at Orlando last March 12 at which Communist literature was distributed.

Salley testified that at the Orlando meeting he got to know a Mrs. Vivian Davenport of Lake Hellen.

He said he later went to a meeting at Mrs. Davenport's house at which a professional lecturer, Scott Nearing, spoke. He played a portion of a tape recording on which a voice he identified as that of Nearing said the world would be better under communism.

"I wouldn't say communism at first," the voice said. "Perhaps socialism at first, Communism later on."

Mrs. Mueller said that Mr. and Mrs. Jack Gordon of Miami Beach attended the meeting and that Gordon took no active part but Mrs. Gordon did. Rep. A. J. Ryan of Broward County, a committee member, said Gordon was a member of the Dade County school board.

Mrs. Collins said Braden played a leading role in the Orlando meeting.

O'Neill said in view of Braden's announced intent to refuse to testify, the committee would free him from subpoena if he wanted to but that the group would put on evidence that he was a member of a Communist front organization.

Obviously taken aback, Braden asked a few minutes to confer with his attorney. Returning, he began, "I disagree with what you have said. It is based on inaccuracies . . ."

O'Neill cut him off and ordered him to a seat.

At a noon recess, Braden issued a 300-word statement he said he was prepared to make if he had gone on the stand.

"This is part of the harassment to which I have been subjected for many years because of my stand for civil rights and civil liberties," the statement said.

He described the Southern Conference as an educational group for integrationist groups. He denied charges the conference was Communist front or was calling the shots on integration activities.

Mrs. Collins testified she also was given literature urging clemency for Martin Soble, convicted as a Communist spy some years ago. She said Braden helped organize a group in Florida which was to attempt to influence legislation passed in the coming session of the State Legislature.

The committee also heard tes-

NAACP Leader Charged With Red Activities

TALLAHASSEE, Fla., Feb. 9 (AP)—The Florida Legislative Committee charged today that integrationist Carl Braden has no desire to further the cause of the Negro in the South but is merely using them to "carry forth the Communist doctrine."

The Chairman, Rep. William O'Neill of Ocala, charged also that persons in the National Association for the Advancement of Colored People are "associated with, encouraging and participating in subversive activities."

"There is no other conclusion you can reach from the evidence," he said.

O'Neill, ending a day-long hearing into Braden's integrationist activities in Florida, said the committee was hoping to develop laws to curb such organizations as the Southern Conference Education Fund, Inc., of which Braden is field secretary.

He said the committee would attempt to draw up such laws for the 1961 session of the Florida Legislature "if any can be drawn in view of the U. S. Supreme Court decisions."

O'Neill said the Southern Conference had been repeatedly labeled as a Communist front organization.

Refused To Testify

Braden, of Louisville, Ky., appeared at the hearings but refused to testify. He listened to some six hours of testimony by secret witnesses planted by the Florida committee at meetings he had attended. Then he abruptly left the proceedings and did not reappear.

He refused to answer questions on grounds his constitutional rights would be violated.

One of the secret witnesses of the committee was an employe of the State Road Dept., Ernest M. Salley of Deland, who testified that Braden didn't know he was working secretly with the committee until he got into the chair and began answering questions.

Salley rejected the legal counsel of a Negro attorney, Len Holt of Norfolk, Va., whom he said Braden had helped obtain.

Another secret witness was a former secretary for the committee, Mrs. Mary Mueller, formerly of Tallahassee, now a teacher at Mobile, Ala. The third was a grey-haired mother of three, Mrs. C. C. Collins of Deland.

Most of the testimony of Salley, Mrs. Collins and Mrs. Mueller revolved around a meeting of integration leaders at Orlando last March 12 at which Communist literature was distributed.

Salley testified that at the Orlando meeting he got to know a Mrs. Vivian Davenport of Lake Hellen.

He said he later went to a meeting at Mrs. Davenport's house at which a professional lecturer, Scott Nearing, spoke. He played a portion of a tape recording on which a voice he identified as that of Nearing said the world would be better under Communism.

Red Charge

Rep. William G. O'Neill of Ocala, the committee chairman, confronted Braden with a charge he was a Communist.

"We will put on evidence that you are interested in agitation, stirring up sitins and that you have no desire to improve the position of the Negro but to further the Communist cause," O'Neill said.

O'Neill said in view of Braden's announced intent to refuse to testify the committee would free him from subpena if he wanted to but that the group would put on evidence that he was a member of a Communist front organization.

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"This is part of the harassment to which I have been subjected for many years because of my stand for civil rights and civil liberties," the statement said.

He described the Southern conference as an educational group for integrationist groups. He denied charges the conference was Communist front or was calling the shots on integration activities.

Carl Braden Faces Hearing

DAYTONA BEACH, Fla. — Carl Braden, Louisville, Ky., a white integrationist worker was served with a summons from the Florida Legislative Investigations committee as he addressed a meeting of the Volusia County NAACP here last week.

Braden, a field secretary and editor for the Southern Conference Educational Fund, New Orleans, was told to appear before the committee in Tallahassee on February 9.

The committee is the one that harassed Negro ministers in Florida for their refusal to reveal membership lists of the NAACP. The summons was served on Braden as he discussed the jail sentence of the Rev. Theodore R. Gibson, Miami, and the threat to jail the Rev. A. Leon Lowry, Tampa, for refusing to cooperate with the committee.

Father Gibson is under a six-month sentence for contempt, which has been upheld by the Florida Supreme Court. He plans an appeal to the U.S. Supreme Court. Lowry faces the threat of imprisonment during the session of the State Legislature opening in April.

Petition Asks Braden Freedom

Associated Press

The White House has received a petition with more than 1800 names seeking presidential clemency for Carl Braden, a former Louisville, Ky., newspaper.

Braden, 47, was jailed last May after the supreme court upheal his conviction of Contempt of Congress. He refused to answer questions at Atlanta, Ga., hearings of the House Committee on Un-American Activities in 1958.

The committee was investigating Un-American activities in the South. Braden, a former copy editor for the Louisville Courier Journal, suggested the Committee look into violence against Negroes and Jews in the South.

A delegation of 20 southern integration leaders, white and Negro presented the petition Thursday to two presidential assistants. There was no official White House comment.

UN-AMERICAN ACTIVITIES

Braden decision imperils freedom

WASHINGTON

Opposition to racial segregation and the right to agree with the principle of public school desegregation are the core of two sharply worded minority opinions in the U.S. Supreme Court's ruling in the Braden and Wilkinson cases.

In a 5-4 decision, the court upheld on Monday the contempt convictions of Carl Braden of Louisville, Ky., and Frank Wilkinson of Los Angeles, Calif., critics of the House Committee on Un-American Activities.

The split decision was tatamount to court approval of the broad investigative powers of the committee.

The majority opinions in both cases were written by Justice Potter Stewart. Concurring with him were Justices Felix Frankfurter, Tom C. Clark, John Marshall Harlan and Charles E. Whittaker.

* * *

JUSTICE BLACK wrote one of the minority opinions in which the issue of racial segregation was raised. He was joined by Chief Justice Earl Warren and Justice William O. Douglas.

The other minority opinion in which the segregation issue was raised was written by Justice Douglas. He was joined by Chief Justice Warren and Justice William J. Brennan Jr.

In the Braden case Justice Black noted that Braden, "has some time been at odds with strong sentiment in his home state of Kentucky."

A white man himself, Braden none-the-less had spoken out against that sentiment favoring racial segregation, Justice Black noted.

* * *

THE SUPREME Court justice concluded that this activity on the part of Braden "seems . . . to have been the primary reason for his being called before the Un-American Activities Committee."

The Justice noted that the Committee held that while Braden claimed to be fighting racial segregation, he was furthering the cause of the Communist Party by fomenting racial strife and interfering with the investigation of the committee.

"If the House Un-American Activities Committee is to have the power to interrogate everyone who is called a Communist . . . no legislative committee, state or federal, will have trouble finding cause to subpoena all persons anywhere who take a public stand for or against segregation."

In this connection, Justice Black asserted: "The lesson to be learned from these two cases is, to my mind, clear.

* * *

"LIBERTY, to be secure for any, must be secure for all — even for the most miserable merchants of hated and unpopular ideas."

Justice Black went on to state that the very foundation of a true democracy and the foundation upon which this nation was built is the fact that government is responsive to the views of its citizens.

He said that when government begins to send its dissenters to jail, such as Braden, the liberties indispensable to its existence must be fast disappearing.

"Only by a dedicated preservation of freedoms of the First Amendment can we hope to preserve our nation and its traditional way of life," Justice Black concluded.

* * *

JUSTICE DOUGLAS, in the other dissenting opinion, held that at the bottom of the Braden case was such cases as the one which resulted in the Supreme Court's May 17, 1954, school decision (Brown vs. Board of Education).

Contempt Conviction Of Braden Upheld

The U. S. Supreme Court has upheld a contempt conviction of an alleged communist who has appeared at least twice in Mississippi.

The court yesterday upheld the one-year sentence for contempt of the House UnAmerican Activities Committee handed down to 46-year-old Carl Braden of Louisville, Ky., after Braden refused to answer questions before the committee.

The ruling, by a 5-4 split decision, reaffirmed the authority of the House committee to investigate communism.

Braden appeared before a subcommittee in Atlanta in 1958, during an investigation of communist propaganda in the South and refused to answer questions.

In refusing the answer questions he relied on not the Fifth Amendment privilege against self incrimination but on the First Amendment which guarantees freedom of speech.

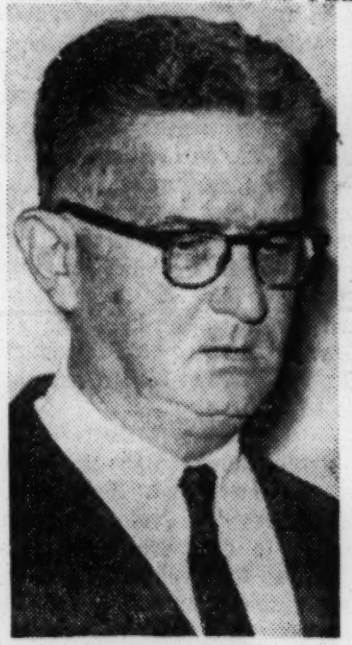
He received a one-year sentence for contempt.

Braden was a spectator in the November, 1959, investigation into communism carried on by the Mississippi General Legislative Investigating Committee. Braden sat through one day of the three-day hearing.

During the hearing former FBI agent John Sullivan testified Braden had appeared in the Clarksdale area in his capacity as field secretary for the Southern Conference Educational Fund.



CARL BRADEN, left, stands with his attorney, Len Holt, while appearing before a Florida legislative investigative group.



CARL BRADEN
Conviction Upheld

Court Upholds Convictions Of Braden, Wilkinson

WASHINGTON — (UPI) — A sharply-split Supreme Court reaffirmed Monday the right of the House Committee on un-American Activities to investigate communism. But the committee's tactics were assailed sharply by the dissenting justices.

By a 5-4 vote, the court upheld contempt of Congress convictions against Frank Wilkinson of Los Angeles and Carl Braden of Louisville, Ky. who refused to answer questions put to them by a subcommittee in Atlanta in 1958.

Justice Hugo L. Black, marking his 75th birthday Monday, led the dissenters with a vigorous criticism of the committee's practices. He was joined by Chief Justice Earl Warren and Justices William O. Douglas and WilliamJ. Brennan, Jr.

CITED COURT DECISION

For the majority, Justice Potter Stewart cited a 1959 court decision which dealt exhaustively with the right of congressional committees to inquire into Communism. That ruling upheld the contempt conviction of Lloyd Barenblatt, former Vassar College instructor who defied the House group during a hearing on Communism in education.

Black objected with these words: "In my view, the conclusion is incapable that the only real limitation upon the committee's power to harass its opponents is the committee's own self-restraint, a characteristic which probably has not been predominant in the committee's work over the past few years."

He said this means that from now on anyone who disagrees with the committee runs the risk of being subpoened, asked to repeat gossip he has heard about any of his friends, held up to the public as a subversive and a traitor jailed for contempt and "branded by his neighbors, employer and erstwhile friends as a menace to society."

ANOTHER SEPARATE DISSENT

Douglas, in another separate dissent, suggested that editors could be summoned before the committee and "made to account for their editorials denouncing the committee."

"If Wilkinson can be questioned concerning opposition to the committee, then I see no reason why editors are immune," he wrote.

However, Stewart said the subcommittee had a legitimate legislative interest at its hearing on Communist propaganda in the South and Red infiltration into the textile industry. He said it wanted to find out about "the manipulation and infiltration of activities and organizations by persons advocating overthrow of the government."

Wilkinson, 45, refused to answer the question whether he had ever been a Communist on grounds of conscience rather than the Fifth Amendment's protection against self-incrimination. The former Los Angeles housing official said Monday's decision means the majority of the court "has sanctioned the committee's efforts to silence its critics."

Both he and Braden, a one-time copyreader on the Louisville, Ky., Courier-Journal, face a one year jail sentence for their difiance. Braden, 46, is now field secretary of the Southern Conference Educational Fund.

Justice Black Fears Decision May 'Strip' Negro Of Aid Of Many White People

Pertinent excerpts from dissent by Justice Hugo Black in 5 to 4 decision of the U. S. Supreme Court, handed down Feb 27, 1961, upholding the contempt sentence of Carl Braden, Southern integration worker:

"The petitioner has for some time been at odds with strong sentiment favoring racial segregation in his home state of Kentucky. A white man himself, the petitioner has nonetheless spoken out strongly against that sentiment. This activity, which once before resulted in his being charged with a serious crime, seems also to have been the primary reason for his being called before the Un-American Activities Committee. For the occasion of that Committee's compelling petitioner to go to Atlanta for questioning appears from the record to have been the circulation of two letters, both in the nature of petitions to congress urging that certain legislative action be taken which, in the view of the signers of the petition, would help those working against segregation.

"(This is) a decision which may well strip the Negro of the aid of many of the white people who have been willing to speak up in his behalf. If the Un-American Activities Committee is to have the power to interrogate everyone who is called a Communist, there is one thing certain beyond the peradventure of a doubt -- no legislative committee, state or federal, will have trouble finding cause to subpoena all persons anywhere who take a public stand for or against segregation. The lesson to be learned from these two cases is, to my mind, clear. Liberty, to be secure for any, must be secure for all.

"... the presently prevailing constitutional doctrine, which treats the First Amendment as a mere admonition, leaves the liberty - giving freedom which were intended to be protected by that Amendment completely at the mercy of Congress and this Court whenever a majority of this Court concludes, on the basis of any of the several judicially created 'tests' now in vogue, that abridgement of these freedom is more desirable than freedom itself.

"I once more deny, as I have found it repeatedly necessary to do in other cases, that this Nation's ability to preserve itself depends upon suppression of the freedoms of religion, speech, press, assembly, and petition. ....

"The very foundation of a true democracy and the foundation upon which this nation was built is the fact that government is responsive to the views of its citizens, and no nation can continue to exist on such a foundation unless its citizens are wholly free to speak out fearlessly for or against their officials and their laws.

"When it begins to send its dissenters, such as Barenblatt, Uphaus, Wilkerson, and now Braden, to jail, the liberties indispensable to its existence must be fast disappearing. If self - preservation is to be the issue that decides these cases, I firmly believe they must be decided the other way. Only by a dedicated preservation of the Freedoms of the First Amendment can we hope to preserve our Nation and its traditional way of life."

250 TEACHERS HIT HOUSE COMMITTEE

Un-American Activities Unit Should Be Abolished, Says Statement by A.C.L.U.

The American Civil Liberties Union made public yesterday a statement by 250 American college and university professors urging the abolition of the House Committee on Un-American Activities.

The statement asserted that the committee had "repeatedly undermined the freedoms essential for national well-being." It also said the committee had been "unrelenting in its harassing of teachers" in its twenty-four-year history.

"The committee," the statement went on, "has latterly improved its hearing manners; it has also attempted through consultations to examine the causes for the spread of Communism throughout the world. Yet it continues to be careless or unscrupulous in vilifying its critics."

The House of Representatives, by a vote of 412 to 6, gave the committee $331,000 on March 1 to continue its operations, for another year.

Long-Range Campaign

However, Patrick Murphy Malin, the A. C. L. U. executive director, and Prof. Louis M. Hacker of Columbia, chairman of the unions academic freedom committee, said the union was engaged in a "long-range campaign." They said it wanted to alert the public and Congress to what it considered the committee's harmful effect on "free inquiry and free expression."

The 250 professors, who signed the statement as individuals, were reported actively engaged in teaching in seventy-nine colleges and universities. Included were twenty-six from Columbia, nineteen from Harvard, thirteen from Yale and eleven from the University of California.

Among those signing the statement were these professors from schools in the city:

Columbia University—T. W. Anderson, Harold Barger, Daniel Btll, Edmund de S. Brunner, Justus Buchler, Lawrence Chamberlain, Herbert Deane, Angel Del Rio, Alexander Erlich, Henry Foley, Donald M. Frame, Charles Frankel, Walter Gellhorn, William H. Goode, Leland Goodrich, J. C. Hurewitz, C. Wright Mills, Ashley Montague, Ernest Nagel, William Nelson, Monrad Paulsen, J. H. Randall, Carl S. Shoup, Gilbert Stork, William Vickrey and Jack B. Weinstein.

New York University—Gay W. Allen, Robert Bierstedt, Lyle B. Borst, Edmond Cahn, Oscar Cargill, Hollis Coley, H. Harry Giles and Wellman Warner.

City College — Donald Blaisdell, Samuel Hendel, Edgar Johnson, Y. H. Krikorian and Henry H. Villard.

Brooklyn College — Solomon F. Bloom and John Hope Franklin.

Hunter College—Robert Hirschfield and Beatrice Konheim.

Queens College—Dwight Durling and Hortense Powdermarker.

Barnard College—Mira Komarovsky and Thomas Peardon.

Manhattan College — Robert Christen.

New School for Social Research —Horace Kallen.

Those signers from schools elsewhere included:

Gordon Allport, David Cavers, Albert Guerard, Oscar Handlin, Mark DeW. Howe and Howard Mumford Jones, all of Harvard; Fowler Harper, Harold Lasswell and Fred Rodell, Yale; Carlos Baker and Julian P. Boyd, Princeton; E. U. Condon, Washington University; Melville Herskovits and Curtis MacDougall, Northwestern; Henry F. May and George R. Stewart, California; J. Saunders Redding, Hampton Institute; Harold Urey, University of California at San Diego, and C. Vann Woodward, Johns Hopkins.

Negro Says Mass Racial Vote Unlikely

TUSKEGEE (AP) — Although Negroes ultimately may be elected to office in Macon County, a spokesman Monday discounted the likelihood of a mass Negro vote solely for racial pride.

President Charles G. Gomillion of the Tuskegee Civic Association predicted that members of his race given the right to vote under a federal court order will support Negro candidates "only if they are qualified."

His comment, in an interview, was prompted by last Friday's decision by U.S. Dist. Judge Frank M. Johnson Jr. ordering the registration of all qualified Negroes in the county.

SUPPORT WHITES

"I do not believe Negroes would vote solidly for a Negro simply because he is a Negro," Gomillion added.

The Tuskegee Institute faculty member said that, in his opinion, Negro voters might choose to support white candidates for some offices.

"It's like choosing a lawyer in certain types of lawsuits," he explained. "Negroes may feel that a Negro lawyer is as well qualified as a white attorney and at the same time feel that the white lawyer would have a better chance in a Southern court."

Negroes in Alabama frequently are represented by white attorneys in court.

BEST CHANCE

Gomillion said offices such as the County Board of Education and the Tuskegee City Council appear to offer the best chance of success for Negro candidates and the best way to attract mass Negro support.

He said there would be "justification" for Negroes to vote in a bloc for a candidate for the school board, for instance, because schools are still segregated and a sizable majority of the school children in Macon County are Negroes.

Gomillion declined to guess at how many Negroes might seek registration under the federal order. But he said the civic association which has long fought for equality at the polls will encourage as many as possible to apply.

Professors Urge House Committee Be Abolished

NEW YORK (AP) — A statement urging abolition of the House Committee on Un-American Activities was released Sunday by the American Civil Liberties Union. It carried signatures of 250 American college and university professors.

The statement said the committee has "repeatedly undermined the freedoms essential for national well-being" and "continues to abridge citizens' rights of free speech and association."

The professors who signed the statement are actively engaged in teaching at 79 colleges and universities, the ACLU said.

Patrick Murphy Malin, ACLU executive director, under whose auspices the professors were canvassed, emphasized that their signing of the statement did not commit their respective institutions.

The House of Representatives recently approved the committee's appropriation, thus continuing its life.

PRESIDENT PETITIONED TO FREE CARL BRADEN

Atlanta World C 6
Sat 8-19-61

WASHINGTON, D. C. — A delegation of Southern integration leaders Thursday took to the White House petitions asking President Kennedy to free Carl Braden, of Louisville, Ky., who is serving a year's sentence for contempt of the House Un-American Activities Committee.

Atlanta Ga

The petitions were signed by over 1,800 leaders in the field of human rights, representing all of the 50 states of the United States.

Spokesman for the delegation was Dr. Ralph Abernathy, president of the Montgomery Improvement Association, Montgomery, Ala., and one of the nation's outstanding civil rights leaders. Chairman of the delegation was Wyatt Tee Walker of Atlanta, Ga.

Mr. Walker is executive director of Dr. Martin Luther King, Jr.'s pro integration Southern Christian Leadership Conference.

Other members of the delegation, which represented both white and Negro Southern leadership were:

The Rev. Fred L. Shuttlesworth, for many years leader of the civil rights movement in Birmingham, Ala.; James McBride Dabbs, South Carolina author; Dr. James A. Dombrowski, executive director Southern Conference Educational Fund, Inc., New Orleans ,La.; Bishop Edgar A. Love, Baltimore area Methodist Church; Bishop C. Ewbank Tucker, Louisville, Ky., presiding bishop pro tem of the AME Zion Church; the Rev. Murray Cox, Gulfport, Miss., chairman of the Mississippi Advisory Committee to the U. S. Commission on Civil rights; The Rev. Wiliam B. Abbot, Norfolk, Va.; W. Hale Thompson, Newport News, Va.; Rabbi Emmet Frank, Alexandria, Va.; The Rev. Raymond Musser, Portsmouth, Va.; Samuel Newman, M. D. Danville, Va.; Prof. Oscar K. Rice, Chapel Hill, N. C.; Dr. Carl C. Taylor, Arlington, Va.; Consultant in Rural Development.

The delegation met with Presidential assistants Harris Wofford and Lee White.

The petition quoted U. S. Supreme Court Justice Hugo Black as saying that Carl Braden's integration activities seem to have been the "primary reason for his being called before the Un-American Activities Committee," and said "the entire cause of integraton may suffer as a result of the precedent set in this case."

White House asked to free Braden

The Afro American
P 5

WASHINGTON

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Spokesman for the delegation was the Rev. Ralph Abernathy, president of the Montgomery Improvement Association, Montgomery, Ala.

Sat S-26-61

Chairman of the delegation was the Rev. Wyatt Tee Walker of Atlanta, who is executive director of the Southern Christian Leadership Conference.

Baltimore Md

OTHER members of the delegation, which represents both white and colored Southern leadership were:

The Rev. Fred L. Shuttlesworth, leader of the civil rights movement in Birmingham, James McBride Dabbs, South Carolina author Dr. James A. Dombrowski, executive director, Southern Conference Educational Fund, Inc., New Orleans, La.

Bishop Edgar A. Love, Baltimore area, Methodist Church; Bishop C. Ewbank Tucker, Louisville, Ky., presiding bishop pro tem of the AME Zion Church; the Rev. Murray Cox, Gulfport, Miss., chairman of the Mississippi Advisory committee to the U.S. Commission on Civil Rights;

The Rev. William B. Abbot, Norfolk, Va.; Rabbi Emmet Frank, Alexandria, Va.; the Rev. Rasmond Musser, Portsmouth, Va.; Samuel Newman, M.D., Danville, Va.; Prof. Oscar K. Rice, Chapel Hill, N.C.; Dr. Carl C. Taylor, consultant in rural development, Arlington, Va.

W. Hale Thompson, Newport News, Va., Rabbi Herbert E. Drooz, Louis L. Redding, and Donald Stephens, all of Wilmington, Del.; David Scoll, Annandale, Va.

* * *

THE PETITION quotes U.S. Supreme Court Justice Hugo Black as saying that Carl Braden's integration activities seem to have been the "primary reason for his being called before the Un-American Activities Committee," and said "the entire cause of integration may suffer as a result of the precedent set in this case."

The petitioners add: "The House Un-American Activities Committee, Sen. Eastland's Internal security Subcommittee, and various Southern state committees modeled after them claim to look for subversive activity."

But actually they seem to be used in the South to try to destroy people and organizations working for integration. . We are witnessing today a revival of McCarthyism in the South because all other weapons of the segregationists are failing. . . "

Besides those visiting the White House original sponsors of the petitions include Dr. Martin Luther King Jr., Atlanta,; the Rev. James M. Lawson Jr., Nashville,; Aubrey W. Williams, Montgomery,; Marion W. Wright, Linville Falls, N.C., and other Southern leaders.

* * *

CARL BRADEN was called before the House Un-Amerihearings in Atlanta in 1958 and questioned about his activities in the integration movement and his personal beliefs.

He declined to answer, maintaining that the quesions violated the First Amendment to the U.S. Constitution, which guarantees freedom of speech, assembly, religion, press and petition.

He was cited for contempt, and the Supreme Court upheld his conviction by a 5-4 decision in February, 1961. He began serving his year's sentence May 1 and is at a federal prison camp in Greenville, S.C.

Braden previously served eight months in a Kentucky prison when he was convicted of sedition after he and his wife helped a colored family buy a house in a white neighborhood.

This conviction was reversed by the Kentucky Court of Appeals, and Braden now works for the Southern Conference Educational Fund, a Southwide interracial organization working for integration.

34e 1961

ALABAMA

MARCH 1961
MACON COUNTY VOTER REGISTRATION BOARD

Lift Bars Immediately, Macon Registrars Told

U.S. Ruling Draws Blast Of Governor

A federal court order to register prospective Negro voters in Macon County brought dire predictions Friday from state authorities.

Gov. John Patterson branded the ruling by U.S. Dist. Judge Frank M. Johnson Jr. as an "unwarranted and unconstitutional encroachment . . . upon the powers of the states."

He predicted the same rule could be applied to other states and that the entire nation "will live to regret" it.

MASS EXODUS

State Highway Director Sam Engelhardt, a Macon County plantation owner and former executive secretary of the pro-segregation Citizens Councils in Alabama, said the decision could mean a mass exodus of white residents from the county.

Or, he added, they could "submit to Negro rule and await a situation comparable to the Congo, with local Lumumbas coming forward in ever-increasing numbers."

Atty. Gen. MacDonald Gallion, whose office resisted the Justice Department suit which brought Johnson's ruling, was out of the city. Gallion is expected to appeal to higher courts.

Efforts by The Advertiser to speak with the registrars met with these results: Cosby Johnson declined comment; Wheeler Dyson would not come to the phone when he learned a Montgomery party was on the line; Johnson said Frank Smith had no phone. None was listed in that name.

Engelhardt, a former state senator, is the author of a constitutional amendment ratified by the voters in 1956 to empower the legislature to abolish Macon County if necessary to keep Negroes from gaining political control.

A special legislative committee is studying Macon County problems, and Engelhardt predicted it will "come up with something that will keep down unheard-of trouble caused by this court decree."

Patterson, one of three state officials who appoint voter registrars, said it is already difficult to get members to serve and now it will be "nearly impossible."

TAKE CONTROL

The governor accused the federal government of trying to take control of local government away from white residents "and deliver the reigns of government to the Negroes by forced mass registration of Negro voters."....

And, he charged, the federal court apparently intends to force registrars to resign and then "run in its federal registrars and mass register the Negroes themselves."

Johnson Sets Blueprint For Negro Voting Hike

By ARTHUR OSGOODE

U. S. District Judge Frank M. Johnson Jr. Friday ordered that Macon County voter registrars register all qualified Negroes.

He also set up the pattern under which Macon registrars are to speed up the registration of Negroes.

But he did not appoint a federal referee to see that the board gives equal consideration to Negro voter applicants.

However, Johnson made it plain in an opinion accompanying the order, that he is prepared to take this step if his decree is ignored.

"This court, for the time being, is going to permit the registration of applicants in Macon County to be handled by the state officials that are charged with that responsibility," he said.

PLACE 64 NAMES

Among the requirements set out in his decree were the following:

1. The placing of the names of 64 qualified Negroes on the voter rolls immediately, with a report reflecting compliance with this order within 15 days;

2. Meetings by the board at least two days each month in Beat 1, which includes the city of Tuskegee, accepting applications of all applicants;

3. Taking of applications in the order in which applicants appear at the office, with successive numbers given applicants as they appear and according to which applicants will be taken;

PROMINENT PLACE

4. The posting in a prominent place in the courthouse and on the door of the registrar's office of the number of the first applicant to be called at the next meeting of the board;

5. The restriction of passages of the U. S. Constitution which applicants may be required to read and write to 50 words or less;

6. Provisions that at least six applicants at once be given the examination at the same time;

7. A report on the fifth day of each month on progress toward full compliance with the order to end discimination against qualified Negro voter applicants.

In his opinion, Johnson said the evidence during a four-day hearing on alleged discrimination against Negroes was so clear as to call for not just a prohibitory but a mandatory decree.

At the hearing, held in Opelika last month, Justice Department attorneys presented evidence to show that the board employed tactics designed to prevent any large-scale Negro registration.

AMENDED ACT

Johnson observed that the amended 1957 Civil Rights Act requires "fair and reasonable" registration procedures. He further observed that the Tuskegee beat, which has 60 per cent of the county population, is 75 per cent Negro of whom only 10 per cent are registered as voters.

"The evidence in this case is overwhelmingly to the effect that the State of Alabama, acting through its agent, including former members of the Board of Registrars of Macon County, has deliberately engaged in acts and practices designed to discriminate against qualified Negroes in their efforts to register to vote," said the judge.

He said the evidence showed that the board had not functioned for long periods, that it employed a double standard for Negro and white applicants, and saw white applicants first, though Negroes had been waiting longer to apply.

"Such acts and practices reached a peak by the board's 'slowdown' tactics during 1960," said Johnson.

He noted in his opinion that a large number of the Negroes who sought to apply were high school or college graduates.

And he said that only "puny excuses" were offered to explain the fact that only 50 voter applications were completed before the board in 1960.

WHITE APPLICANTS

During the testimony in Opelika, government attorneys presented evidence to show that white applicants were aided in filling out their forms, while Negroes were rejected for minor technical errors.

Johnson also observed that evidence showed that some Negroes were registered, but were not given notice of the fact.

Besides taking pains to see that the terms of his decree were carried out, Johnson seemed to anticipate possible resignations from the board of registrars and abolition of Macon county by legislative action.

FUNCTIONING BOARD

He decreed that state authorities must keep a "full and regularly functioning board" operating in the county.

The alternative is the appointment of a federal referee.

In connection with the possibility that the Legislature might abolish the county, he provided that the decree might be extended to other counties.

A Constitutional amendment ratified in 1956 by Alabama voters provides for abolition of the county, which would be divided among neighboring counties.

Purpose of this action would be the prevention of the election of Negroes to the Legislature and to county offices.

FEDERAL CONTROL

Johnson brushed aside the possible criticism that he was substituting federal for state control in voter registration.

He said that, if registrars act fairly, they "will have regained for Macon County and for the State of Alabama the integrity that the evidence in this case makes so abundantly clear has been lost in the field of voting rights."

His order set a 120-day deadline for registration applications by approximately 400 Negro applicants on a waiting list.

And he provided that they cannot be turned down if their examinations are at least as good as that of the "least qualified white applicant" who is registered.

One Macon vote board member quits

MONTGOMERY, Ala., March 21 —(AP)—One of the three members of the Macon County Voter Registration Board has resigned in the wake of a federal court order to allow all qualified Negroes to register.

Cosby Johnson of Tuskegee Rt. 1 submitted his resignation to Gov. John Patterson today without explanation. The letter was dated yesterday and sent by registered mail.

Despite the departure of one member, the board can still function because Chairman Frankbers of a voter registration board Smith and Sheeler Dyson are still can perform the duties of accept- serving as members. Under Ala-ing and processing applications of

Federal Judge Orders

Macon County Negroes Must Vote

Registrars Have 15 Days To Qualify All Eligibles

MONTGOMERY —(AP)— A federal judge today ordered 64 Negroes registered immediately as voters in Macon County, and said that in the future all other qualified Negroes must be allowed to vote.

U. S. District Judge Frank M Johnson Jr. issued an injunction at the request of the Justice Department to prohibit any future discrimination against prospective Negro in the county where members of that race outnumber whites five to one.

Then, he entered a mandatory degree requiring registration authorities to take certain steps to reduce a backlog of unprocessed applications from Negroes.

As the first step, the judge directed registration officials to put the names of 64 Negroes on the voting list within 10 days and to make certain the Negro are notified.

Then, he ordered the registrars to notify his court within 15 days from today that they have complied with his instructions.

In the handling of future applications, Johnson issued an order prohibiting registration authorities from administering qualifying tests to Negroes "in any way different" from the manner in which tests are given to white applicants.

Gong further, he laid down this formula:

No prosecutive Negro voter who is "otherwise qualified" can be denied registration if his application papers are "equal to the performance of the least qualified white applicant" who has been registered by the board.

During a hearing in Opelika, Ala., last month, the Justice Department produced testimony and documentary evidence to show that in past years Negroes with college degrees have been turned down as voters while white applicants, some of them with little or no education, have been registered without question.

And, to prevent a recurrence of what the Justice Department called a deliberate slowdown in registration since the summer of 1960, the court ordered the Macon County board to spend two full days each month at the courthouse in Tuskegee where any applicant in the county may seek registration.

Macon Registrar Resigns

MONTGOMERY (AP) One of the three members of the Macon County voter registration board has resigned in the wake of a federal court order to allow all qualified Negroes to register.

Cosby Johnson of Tuskegee submitted his resignation to Gov. John Patterson today without explanation. The letter was dated Monday and sent by registered mail.

Despite the departure of one member, the board can still function because Chairman Frank Smith and Sheeler Dyson are still serving as members. Under Alabama law two of the three members can perform the duties of accepting and processing applications of prospective voters.

Dyson and Smith could not be reached for comment immediately on their plans.

Johnson's letter to the governor was brief. It said merely, "As of this date, I am submitting my resignation as registrar of Macon County, Ala."

Johnson vacated his office three days after U.S. District Judge Frank M. Johnson Jr. in Montgomery handed down an order directing the Macon County board to register 64 Negroes immediately as voters, and in the future to accept the applications of all other Negroes who meet the qualifications fixed by law.

The judge also instructed state authorities to see that a "full and functioning" board is kept in office in the county where Negroes outnumber white residents 5-1 and where resignations in the past have left the county without a functioning board for months at a time.

Johnson, the registrar, was appointed Jan. 30 of this year along with Smith and Dyson. Dyson had resigned a short time before as chairman of an earlier board but agreed to accept reappointment as a participating member.

The governor, protesting the federal court order last Friday as an unwarranted invasion of states rights, complained that it has been difficult to get registrars to serve and now it would be virtually impossible.

'STICK IT OUT'

Dyson said he has no plans to quit, commenting, "I'm going to stick it out." Smith was unavailable for comment on his plans.

The resignation came three days after U. S. Dist. Judge Frank M. Johnson Jr. ordered the Macon board of register 64 Negroes as voters immediately and to accept the applications of all other qualified Negroes in the future.

Judge Johnson also directed state officials to maintain a "full and functioning" board in the county where Negroes outnumber white residents 5-1 and where voter registration machinery has broken down for months at a time because of past resignations.

STILL FUNCTION

Despite one resignation, the board can still function with Smith and Dyson. State law allows two board members to perform the duties of accepting and processing applications of prospective voters.

Registrar Johnson was appointed Jan. 30 along with Smith and Dyson. The latter had quit as chairman of an earlier registration board shortly before that, but agreed to his reappointment with Johnson and Smith.

The governor said the federal court order last Friday will make it almost impissible to get registrars to serve because it had been difficult even before. He protested the ruling as an unwarranted attack on states rights.

Macon Vote Board Shy 1 Member

Johnson Resigns Following Negro Registration Order

By THE ASSOCIATED PRESS

The Macon County Board of Registrars lost one member Tuesday on the heels of a federal court order to register all qualified Negroes.

Cosby Johnson of Rt. 1, Tuskegee submitted his resignation to Gov. John Patterson, leaving the board in racially troubled Macon County with two members, Chairman Frank Smith and Wheeler Dyson of Tuskegee.

Johnson's letter gave no explanation. Dated Monday and sent by registered mail, it merely said: "As of this date, I am submitting my resignation as registrar if Macon County, Ala."

Patterson Asks 12-Month School Term; U. S. Balks Registrars, Governor Says

Kennedys Blamed For Interfering In State Affairs

Birmingham Post-Herald p. 1
Wed. 10-4-61
Birmingham Ala.

FROM PRESS REPORTS

MONTGOMERY, Oct. 3 — Gov. John Patterson charged today that a U. S. judge has prohibited county voter registrars in Alabama from enforcing state laws which set out voter standards and qualifications.

In a press conference, Patterson said he is a "disappointed Democrat" in connection with the Kennedy Administration.

Referring to Federal intervention in Alabama race troubles last May, he said President Kennedy and his brother, Atty. Gen. Robert Kennedy, "have made a lot of mistakes in domestic and political affairs."

Patterson said Federal Dist. Judge Frank M. Johnson Jr., prohibited the registrars from enforcing Alabama voter laws when he forbade the Macon County registrars from using periodically changed questionnaires which all prospective voters must answer.

Court Decides Issue

"The Alabama Supreme Court is authorized to change those questions any time it wants to, to prevent applicants from memorizing them," said Patterson. "Our court determines that issue."

He said that "our registrars would do all right if the Federal government and its courts would quit intimidating and harassing them."

Johnson's action earlier this month, in broadening an existing no-discrimination injunction against the Macon registrars and banning use of redrafted questionnaires "was bad," Patterson said.

"It was illegal and we're going to appeal it all the way to the U. S. Supreme Court."

Board Would Act

Although the State Supreme Court has the questionnaires-preparing power now, it will be given to a newly-created State Board of Registration if Alabama voters approve it in a statewide election next May.

The governor, who supported President Kennedy early last year in his race for the presidency, said "If I had known what I know now, I would have insisted on some additional commitments on certain things.

"I think the President and his brother have been getting some bad advice on domestic affairs, and the President is going to have to make a comeback with Southerners to get their votes if he runs for re-election," he said.

Grave Consequences Seen

Patterson said if the U. S. Fifth Circuit Court of Appeals upholds a Federal order requiring the registration of 50 Negro prospective voters in Macon County, there will be "grave consequences in the state."

"I don't believe the Federal government has the legal right to order those Negroes registered. The relations between the government and the state are bad now and getting worse.

"I hope the appointment of two members to the Macon Registrar Board will stop them from sending a Federal referee in and put an end to further interference and harassment from the Federal government," said the governor.

Macon Negro Registration Before Judges

Alabama Journal
Tues 10-3-61
Montgomery Ala.

State and federal attorneys were set to go before the 5th U. S. Circuit Court of Appeals today to continue the running legal battle over Negro voter registration in Macon County.

The state asked the appellate court to throw out an order by U.S. District Judge Frank M. Johnson Jr. last March 17 directing registration of 50 Negroes in the southeast Alabama county where Negroes outnumber white persons almost six to one.

'LAG' CLAIMED

Johnson last month ordered an additional 84 Negroes registered after the Justice Department complained that registration was lagging.

However, an attorney in the Alabama attorney general's department said today's challenge was against the March order only though the ruling was expected to decide the fate of the September directive.

Macon registrars also are under orders to practice no racial discrimination, register all eligible Negro applicants, and stop rejecting Negroes because of "minor and inconsequential errors on their applications."

SOME STRICKEN

The state contended the 50 Negroes listed in the March order should have been turned down for various legitimate reasons. The list originally included 64 Negroes, but Johnson eliminated 14 persons who had died or moved away or were otherwise ineligible.

Macon Board Vacancies Filled

Birmingham Post-Herald p. 1
Tues 10-3-61
Birmingham

Meets Deadline Set By U. S. Judge

TUSKEGEE, Oct. 2 (AP)—Macon County formally got a full three-man board of voter registrars today, the same day a Federal judge set as the deadline for an operating board.

Roscoe Clyatt said he and John Henderson had agreed to accept the appointments made last week by Gov. John Patterson.

Frank E. Smith is the third member of the board, and is chairman.

Macon County had lacked the minimum requirements of a two-man quorum since two of the three registrars had resigned.

U. S. District Judge Frank M. Johnson Jr. threatened to install a Federal voter referee if a full board was not in operation by today.

Johnson said today he would consider the acceptance of Clyatt and Henderson as equal to putting the board in operation.

SEPTEMBER-OCTOBER
MACON COUNTY VOTER ROLLS
U.S. 5th CIRCUIT COURT OF APPEALS
OCT. 3

Voter Case Appeal Set

The state will argue before the U.S. 5th Circuit Cout of Appeals here on Oct. 3, seeking to overturn the ruling of U.S. District Judge Frank M. Johnson Jr. requiring that the names of a number of Negroes be added to Macon County voter rolls.

Johnson ordered the Negroes placed on the rolls last March at the same time he ordered an end to discriminatory practices used by the registrars against Negroes.

Another case to be heard by the appellate court in its session here is that of Negro integration leaders Ralph Abernathy and S. S. Seay Sr. of Montgomery; Fred Shuttlesworth of Birmingham, and J. E. Lowery, Mobile.

Johnson had refused to halt libel actions against them and to prevent levying on their property to pay off an earlier libel judgment of $500,000.

State Seeks Voiding Of Macon Order

U. S. Judge Will Decide Today On Federal Voter Referee

MONTGOMERY Oct. 1—State attorneys will ask the U. S. Fifth Circuit Court of Appeals here this week to throw out a Federal order that certain Negroes be placed on the Macon County voter rolls.

The case is scheduled before the Appellate Court Tuesday.

U. S. Middle District Judge Frank M. Johnson Jr. ordered the registration of Negroes and an end to discriminatory practices by the Macon County Board of Registrars following a Justice Dept. complaint.

Meanwhile, Johnson is scheduled tomorrow to decide whether or not he should send a Federal voter referee into the predominantly Negro county.

The jurist, angered when the board apparently ignored his order to speed up the registration of Negroes, gave the state until tomorrow to have an "effective" board working.

Warning On Referee

He warned the state he would send a Federal referee to the Central Alabama county, home of the famed Negro Tuskegee Institute, unless vacancies on the board were filled and registration got under way.

Gov. John Patterson apparently has averted the threat of a Federal referee by appointing farmer John E. Henderson and automobile repairman Roscoe Clyatt to the board.

The two men, named this week, join Frank E. Smith of Tuskegee on the beleaguered board.

Wheeler Dyson, chairman of the board, resigned in August.

Patterson said "constant harassment" from the Federal government makes it almost impossible to find qualified men who are willing to serve as registrars.

The board of registration needs at least two members to function under the law.

Backlog Mounts To 550

When Johnson issued his registration order March 17, there were 400 Negroes on the list to be registered as qualified voters.

With the resignation of Dyson, the backlog has mounted to 550.

Negroes outnumber whites by about four-to-one in the county, but the whites have a gigantic majority on the voter rolls.

In appellate Court action next week, four Negro ministers will seek to have the court overrule Johnson's dismissal of a request for an injunction against the prosecution of two libel suits.

The appeal, brought by the Revs. Ralph Abernathy, Fred Shuttlesworth, S. S. Seay Jr. and L. E. Lowery, is scheduled for Oct. 9.

The Negroes had asked Johnson to stop $500,000 libel suits brought against them by Gov. John Patterson and City Commissioner Frank Parks, and to enjoin levies on their property to satisfy a half-million dollar judgment on a libel suit won by Police Commissioner L. B. Sullivan.

Johnson ruled the matters could be properly litigated in the state courts.

U.S. Action Challenged In 2 Cases

Three-Judge Panel Airs Macon Vote, Mississippi Appeals

By ARTHUR OSGOODE

Alabama and Mississippi attorneys challenged federal court authority in two cases heard here Tuesday by a three-judge panel of the U.S. 5th Circuit Court of Appeals

Gordon Madison, arguing for the State of Alabama, said U.S. District Judge Frank M. Johnson Jr. had ursurped the function of the Macon County board of registrars when he ordered the names of 64 Negroes added to Macon voter rolls.

And Edward Cates, an assistant attorney general in Mississippi, told the court it had no right to intervene in the prosecution of a Tennessee Negro arrested after a scrap with a Mississippi county official.

FEDERAL ATTORNEY

Representing the government in the Mississippi case was Burke Marshall, who heads the Civil Rights Division of the Department of Justice. In both the Alabama and Mississippi cases the government relied on the broad discretionary powers of the federal courts.

Madison and Justice Department attorney John Doar debated whether Johnson had overstepped the limits of his authority in ordering the names of Negro voters added to the Macon voter lists.

Doar insisted that Johnson had only acted "to get the board to face up to its responsibility." granting that the judge had acted only on the basis of information in questionnaires, he pointed out that Johnson had already determined that Negro voter applicants were rejected solely on account of their race.

But Madison argued that Johnson had no "authority to register from the bench, and that's what this amounts to . . ."

CONTINUE PRESSURE

He charged that the Justice Department plans to continue pressure on Macon officials "until the government finally gets a voting referee."

Judge Johnson had warned that such a referee would be appointed to take over the registration of Macon voters unless a functioning board was named. Two registrars announced Monday they had accepted appointments in time to meet the Oct. 2 deadline set by Johnson.

At one point Madison heatedly observed that:

"I mean to be courteous . . .but it (civil rights actions) shows to me the continual taking over by the federal judiciary" of rights guaranteed to the states.

When he said he did not expect the government to be satisfied with any progress made in Macon County registration, he drew a supporting statement from one of the three judges.

Judge Ben F. Cameron of Meridian, Miss., who has often sided with the Southern position in civil rights matters, said,

At another point Cameron asked whether Johnson "took upon himself the job of registering 5,000 Negroes" in Macon

(Continued From Page 1)

County. He also asked whether Johnson "had any proof at all from other people that these people (the 64 Negroes) were qualified."

Doar insisted that "the court has not become a superregistrar." He also protested that, "We're not here trying to get a voting referee appointed."

Doar said Johnson's order that the names be placed on the voter rolls was an act within his discretion, and "the only sensible, the only equitable thing" he could do.

SOUGHT TO AID

He pointed out that Johnson had allowed the state 10 days in which to show why any of the 64 Negroes should not be registered, and subsequently struck the names of 14 who had moved, died, or had criminal records.

The Mississippi case involved the arrest and prosecution of John Hardy, Nashville Negro who sought to aid Negroes to register to vote in Walthall County, Mississippi.

Asst. U. S. Atty. Gen Marshall warned that civil rights progress would be hindered if "it is established, as a rule of law, that the federal government is powerless to help in a case of false arrest."

He advanced the argument that the government should step in to stop the prosecution of Hardy for breach of the peace, not to protect Hardy's interest, but the interest of the federal government itself.

He said the arrest of Hardy on "trumped-up" charges was aimed at intimidating Negroes who might wish to register to vote. Whether or not Hardy is finally cleared, he argued, the arrest itself does the government "irreparable injury," because the lawful rights of U.S. citizens are infringed.

Cates argued that U.S. District Judge Harold Cox was right in refusing to stop Hardy's trial. The federal courts should not interfere with state legal processes, he said, citing federal statutes.

He told the three judges they had "a mandatory requirement" not to interfere.

Judge John R. Brown, of Houston, Tex., asked Cates, "What's so sacrosanct about enjoining of criminal prosecutions?"

"Why is it anything so destructive to our system of federalism?" he further queried.

ANOTHER SUIT

Later, Brown observed that though there is another suit in Mississippi's Walthall county to end discrimination against Negro voter applicants, the suit being heard was to keep white officials "from taking these actions to frighten people."

When Cates observed that Hardy, a Tennessean, had no rights involved in the court action, Brown observed that it was not Hardy's rights, but the rights of

the government, that were involved.

Cates protested that the government was trying to "condemn a whole state based on no proof at all," and was seeking "to enjoin the state itself." He warned of "embarrassing conflicts" between state and federal court authority.

Hardy was arrested after an altercation in which John Wood, a white registrar, admitted striking him after ordering him to leave his office in Tylertown, Miss., as he sought to help a Negro couple to register.

The appellate court, with Judge Richard T. Rives of Montgomery presiding, also heard two labor dispute cases Tuesday. They are holding a two-week session here.

Macon Voter Case Appeal Before Court

The U.S. 5th Circuit Court of Appeals, which opened a two-week session here Monday, Tuesday is to hear the State of Alabama against a federal court order involving Macon County voter registration.

The state holds that U.S. District Judge Frank M. Johnson Jr. stepped beyond his authority when he ordered the names of 64 Negroes placed on the Macon voter rolls.

Johnson later struck some of the 64 names when it was shown some of those ordered placed on the rolls had criminal records or were otherwise unqualified.

MISSISSIPPI CASE

In another case to be heard Tuesday, government and Mississippi attorneys will argue the case of John W. Hardy, a Nashville Negro jailed in Tylertown, Miss., after a fist fight with a voter registrar.

The government says Hardy was arrested to keep Negroes from attempting to vote. U.S. District Judge Harold Cox refused to stop Hardy's trial on a breach of the peace charge.

The affray occurred as Hardy sought to help a Negro couple to register. Circuit Clerk John Wood said he hit Hardy after ordering the Negro to leave his office.

FOUR CASES

The court Monday heard four cases: NLRB vs. R. L. Zeigler, and Taft Broadcasting Co. vs. Broadcasting Technicians Local No. 253, both involving labor disputes; American Fidelity and Casualty Co. vs. U.S. Fidelity and Guaranty Co., involving insurance liability; and James Huftman and Evelyn Nelson Huffman vs. the United States.

This latter case is an appeal of a Mississippi court verdict in which the Huffmans were found guilty of violating the U.S. liquor laws. Their attorney argued they were convicted on insufficient evidence, and also that a federal judge erred when he pointed out to a jury slow in reaching a decision that the case was costing the government money.

The three judges sitting here are Richard T. Rives, John R. Brown and Ben F. Cameron.

Registration Board Back In Operation

TUSKEGEE (AP)—Macon County formally got a full three-man board of voter registrars Monday, the same day a federal judge set as the deadline for an operating board.

Roscoe Clyatt said he and John Henderson had agreed to accept the appointments made last week by Gov. John Patterson. Frank E. Smith is the third member of the board, and is chairman.

Macon County had lacked the minimum requirement of a two-man quorum since two of the three registrars resigned last September.

U.S. District Judge Frank M. Johnson Jr. threatened to install a federal voter referee if a full board was not in operation by Monday.

Johnson said Monday he would consider the acceptance of Clyatt and Henderson as equal to putting the board in operation.

34e 1961

ALABAMA

SEPTEMBER
MACON COUNTY-VOTER REGISTRARS
NAMED

FOR MACON COUNTY

Voter Registrars Named

Gov. John Patterson Tuesday filled two empty places on the Macon County Board of Registrars, only 13 days before the deadline set by a federal judge.

U.S. District Judge Frank M. Johnson Jr., had warned that unless a "functioning" board were appointed by Oct. 2 he would name a federal referee to take over the job of registering voters.

Named to the registrar posts are Boyce Clyatt of Tuskegee and John E. Henderson of Tuskegee, Rt. 1. The third registrar is Frank E. Smith, Tuskegee.

Smith is the only holdover from the board holding office at the time charges of discrimination against Negro voters were aired last March. The other two members, Wheeler Dyson and Donald Scott, have since resigned.

At the close of the March hearing, Johnson ordered an end to discriminatory practices designed to hold down Negro voter registration. But he declined to name a voter referee as urged to by government attorneys.

Johnson later heard Justice Department charges that the registrars were not complying with his order.

It was then he issued the warning that he would appoint a federal referee unless a full board was named. He also called for a speedup in the registration procedures.

The new board now has two farmers, Smith and Henderson, and a Tuskegee businessman, Clyatt, who operates an automobile repair shop and fishing tackle business.

A governor's office spokesman said both men had agreed to serve, but no comment could be gotten from either Clyatt or Henderson Tuesday. Henderson could not be reached. Clyatt said he had been instructed by the governor's office not to comment.

34e 1961

THE UPI REPORT

Time Fast Running Out On Macon Vote Referee

p. 2A Advertiser - Journal

Jan. 9-24-61

By DONALD F. MARTIN
United Press International

Time is rapidly running out for Gov. John Patterson to insure that a federal voter referee is not sent into Macon County.

U.S. Middle District Judge Frank M. Jonson Jr. warned the state he would dispatch a federal referee to the Central Alabama county, home of famed Tuskegee Institute, if the governor fails to appoint an "effective" board of registrars by Oct. 2 — a week from Monday.

A spokesman in the governor's office reports that so far the chief executive has been unable to find anyone to serve. The spokesman said a huddle with Macon County Rep. Grady Rogers, a former registrar, apparently was not successful.

ONE REGISTRAR

At the present time, there is only one registrar in Macon. Wheeler Dyson of Tuskegee resigned last month as chairman of the board, leaving Frank E. Smith of Rt. 1, Tuskegee as the lone registrar for the non-functioning board.

Patterson claims "constant harrassment" from the federal government makes it almost impossible to find qualified men who will serve as registrars in the county where Negroes outnumber whites almost six to one.

If the governor fails to appoint a board and a federal referee is sent into Macon, it will be the first county in the nation where this provision of the 1960 Civil Rights Act has been utilized.

OUTLINED WAY

On March 17, 1961, Judge Johnson ordered the Macon board to expedite registration of some 400 Negro voter applicants. Johnson outlined the ways this could be done.

Now the backlog has increased to 550 and the average of 44 applications handled every registration day has dropped to 18. "To compound the injustice perpetrated on the Negroes in Macon County," Johnson held, "one of the registrars resigned Sept. 4, again leaving the previously undermanned board totally inoperative. Despite the protestations of counsel for the State of Alabama that every effort would be made, and is being made, to fill Wheeler Dyson's position, no explanation whatever was forthcoming as to why the state . . .had not filled a position on the board which has been vacant since March of this year with the resignation of Cosby Johnson."

The federal judge is obviously nettled by the situation in Macon which has seen the county without an active board of registrars for periods as long as 18 months.

If Gov. Patterson fails to appoint a functioning board by a week from Monday it is very likely Johnson will solve his impatience by sending a federal voter referee into Macon.

Tuskegee May Get Federal Voting Referees

Judge sets Oct. 2 deadline for registration 'or else'

Backlog of 600 voters awaits order after court hearing

By SAM YETTE

MONTGOMERY, Ala — Federal voting referees —the first under the Civil Rights Act of 1960—will be appointed in Macon County (Tuskegee) on Oct. 2, unless the State of Alabama produces an "effectively-functioning" board of registrars there, and ceases "a pattern and practice of discrimination" in voting.

Alabama must comply within 10 days.

Such was the stern warning order was based, one white of Federal District Judge registered voter testified that Frank M. Johnson Jr., as he she was unable to read or ended a hearing here Friday write.
on a Justice Department motion that the board be ordered to register 100 persons a day in Tuskegee where a backlog of more than 600 would - be voters waits to register.

* * *

IF FEDERAL referees are appointed, this will not occur before Oct. 2. However, the court's decision will be based upon the performance of the state and the board between now and Sept. 18, since that is the only scheduled registration date between Johnson's warning and his deadline.

The U.S. Justice Department — plaintiff in the case — entered the motion on charges that the Macon board had flouted several of the 21 specific orders issued by Judge Johnson last March 17.

On that date, Johnson ordered the board to "register any colored applicant" whose qualifications equal those of "the least qualified white applicant." U.S. attorneys contend that this sweeping edict has been disobeyed. In hearing upon which the

* * *

THE U.S. FURTHER charged that contrary to the court's decree, the board was taking white applicants out of turn ahead of colored applications; insisting that they answer questions which do not appear on the application; and demanding that vouchers for the applicants vouch for their "moral character" — rather than merely for residence as state law requires.

After hearing two hours of testimony, Judge Johnson said he had previously "bent over backward" in refusing to appoint referees "even after being urged by the U.S. Government. . . . I refused to do it even after one of the members of the Board of Registrars resigned in March of this year. Now on this date I find that the State of Alabama does not even have an operating board for Macon County."

But Friday's evidence was preponderous: "I find it necessary under an act of Congress of 1960 to appoint federal referees," he declared.

HE DECIDED however, "to delay appointment of federal referees until the second day of October, 1961, to give the State of Alabama one last opportunity to provide an effectively-functioning board of registrars in Macon County."

While Johnson did not spell out "effectively - functioning," one certain requirement would be that Governor John Patterson appoint two replacements to the three member board which had operated on a "quorum" of two since last March, but was reduced below quorum by the Sept. 5 resignation of Wheeler Dyson.

Dyson revealed from the witness stand that he had submitted his resignation to Governor Patterson the day following the last registration date.

* * *

IN LIGHT of Johnson's own comments, another requirement would be that a full board must "stop this business of rejecting applicants on the basis of technical and inconsequential evidence."

He had heard evidence from seven witnesses and a dozen or so affidavits brought before him. The first witness was Dyson, a two-time resignee from the now inoperative board, and Frank Smith, a farmer - carpenter who is chairman of the now inoperative board.

Throughout the hearing, Justice Department attorney D. Robert Owen tried to show that the board had been unnecessarily slow in registering colored applicants, and had disqualified others under extra - legal standards not required of whites. These tactics, he contends, had added a hundred names to the backlog of 400 applicants which prompted Judge Johnson's speed-up order last March.

* * *

SINCE JULY 3 of this year, the board has registered no more than 18 in a single day, although prior to that, as many as 54 had been registered in one day in an attempt to comply with a specific court ultimatum.

The U.S. contended that 500 persons now hold "place" numbers in order to apply for registration, and 101 persons have been rejected on what Johnson called "inconsequential evidence."

Defense Counsel Leslie Hall, Alabama's assistant attorney general, tried to show the court that the board was acting "in good faith" and that the U.S. was asking the board "to assume an intolerable burden . . . in order to get every colored resident in Macon County registered between now and the next election."

Colored persons in Macon County out - number whites, 4 to 1. In 1957, the Alabama Legislature gerrymandered all but six of Tuskegee's 400 colored voters out of the city. They countered with a crippling economic withdrawal. Earlier this year, the U.S. Supreme Court ordered the boundaries restored, but the buying restraint continues.

* * *

ON THE WITNESS stand, Dyson admitted that he asked women applicants such questions as "have you ever been married" in order "to see if they have illegitimate children." He does not ask these questions of white women applicants, he said, "because I know them (the women), and there's no use asking the questions."

Defense attorneys produced one witness, a woman from Tuskegee, who stated under questioning that she has three sons—aged 19 8 and 3 — despite the fact that she has not re-married since her husband died 13 years ago.

State Counsel Hall used this evidence in an attempt to discredit two other witnesses who said they vouched for two women alleged to have children out of wedlock.

This, Hall contended, was evidence of "immoral character," and grounds for rejection by the board. To order the two women registered, "this court (would be) asking that the State of Alabama violate its own law," Hall told the court.

* * *

UNDER EXAMINATION by U.S. Attorney Owen, registrars chairman Smith admitted that he rejected the application of one woman, Mrs. Ola Sullins, because she had written only the year — 1915 — where the form asked the "date" she moved into her precinct. "She left out the month," Smith protested.

However, Dyson testified that he had allowed a white applicant to return and correct such an error, then register.

Defense counsel drew from two Tuskegee witnesses — Mrs. Willie D. Bentley, and Bennie L. Davison — freely - given testimony that they kept watch at the courthouse on registration days to count the number of colored registered, and notify others when their registration numbers were likely to be called. They said they did this in accordance with their duties as members of the Voter Franchise Committee of the (TCA), the vanguard civil-rights organization in Macon County. They were not cross-examined by federal attorneys.

* * *

TO SHOW that rejection of many applicants was necessary and "in good faith," State's Attorney Hall called to the stand Dr. William B. Hill, state leader for minority work (agricultural extension chief), whose office is at Tuskegee Institute, and Mrs. Anna R. Johnson, a registered nurse at Tuskegee VA Hospital.

Dr. Hill testified that he mistakenly wrote "yes" in answer to a question which, in effect, asked if he put any "secular" obligations ahead of his duties as a citizen. When Dyson called it to his attention, Hill "told him it certainly was an error." Hill was not allowed to change his answer—nor to register.

U.S. Attorney Owen cross-examined to show that, granted the error, Hill's oath, taken subsequently, attested to the applicant's loyalty. Before dismissing him from the stand, Judge Johnson asked him if he worked for the State of Alabama—a question whose positive answer evidenced loyalty.

Hill answered that he has been employed by the State for 25 years. He is still unregistered.

* * *

SIMILARLY, LAST April, Mrs. Johnson misread a question on whether she would "give aid and comfort to enemies of the State of Alabama." Although she took the required loyalty oath, and is employed by the Federal Government, she was not allowed to change her answer—nor to vote.

It is yet to be decided, however, whether federal referees would register applicants for state and local elections as well as for federal elections.

* * *

TCA PRESIDENT DR. Charles G. Gomillion, was "dissatisfied" with the court's decision to give Alabama "another chance."

"I would have preferred that Judge Johnson had complied with the request of the Justice Department. I think the state and county have had time enough," he said. He believes, however, that "there will be some speeding up on the registration procedure in order to keep the judge from appointing federal referees."

IN A LATER HEARING, Friday, Johnson enjoined the Board of Registrars in adjoining Bullock County also are [illegible] lock County numbered. from further evidence of racial discrimination and slowdown tactics. Whites in Bul-

FOR REGISTRAR BOARD

Johnson Orders Macon Deadline

The Montgomery Advertiser
Montgomery Ala.

By ARTHUR OSGOODE

Macon county must have "an effective, operating" board of voter registrars by Oct. 2, or a federal referee will be named to take over the job of voter registration.

The ultimatum was handed down Friday by U. S. District Judge Frank M. Johnson Jr. after federal lawyers had argued for a speedup in Negro voter registration in two Alabama counties.

Johnson announced that he will issue an injunction ordering Bullock County registrars to end discrimination against Negro voter applicants.

Last March, Johnson had issued such an injunction against Macon County, while declining to issue one against Bullock registrars. He said at the time he had been impressed by declarations by the Bullock registrars that they would register applicants without regard to color.

At the conclusion of the Macon County case Friday, Johnson observed that, "I have leaned over backward to avoid appointing federal voting referees for Macon County."

NO BOARD

Johnson said he had done so in the face of urging by the U.S. government, even after the resignation of one of the three Macon registrars. But, he added, "on this date I find the State of Alabama does not even have an operating board."

However, he said, he would delay the appointment of a referee to take over the registration functions to Oct. 2, "to give the State of Alabama a chance to maintain an effective operating board in Macon County.

Earlier, one of the two Macon registrars, Wheeler Dyson, had earlier in the week to take a job in Auburn. That left the county with only one registrar, Frank E. Smith.

The Montgomery Advertiser

Asst. Atty. Gen. Leslie Hall, representing the state, argued that the registrars have "bent over backward," often working while they received no pay, to register

Sat. 9-9-61

Sat. 9-9-61

Sat. 9-9-61

comply with the orders of the court.

The state put two Negroes active in the Negro registration drive on the stand to question them about vouching for two Negro women who gave birth to chi'dren out of wedlock.

Alabama Gets Ultimatum On Negro Vote

The Atlanta Constitution

MONTGOMERY, Ala., Sept. 9 (AP)—Macon County will become the first place in the United States with a federal voter referee unless the state makes some changes there by Oct. 2 in regard to Negro voters.

Voter registration policies in Bullock County also came under renewed attack as U.S. District Judge Frank M. Johnson Jr. took firm steps to safeguard Negro voting rights there.

Sun. 9-10-61

In response to new Justice Department complaints that voter registrars in the adjoining south Alabama counties have been lagging in their duty and discriminating against Negroes, Johnson

Atlanta, Ga.

—Threatened to appoint federal referee if the state fails to name an "effective, operating" three-member registration board by Oct. 2 for Macon County, where registration machinery broke down this week.

* * *

—ANNOUNCED he will issue an injunction immediately prohibiting Bullock County registrars from discriminating against prospective Negro voters and ordering them to speed up registration.

Macon and Bullock voting authorities were defendants in Justice Department suits filed several months ago. Johnson put the Macon registrars under an injunction last March, but declined at that time to sign a court order to enforce non-discrimination in Bullock.

Johnson handed the state the federal referee ultimatum after Wheeler Dyson of Tuskegee, one of two Macon registrars, testified during a hearing that he resigned earlier this week.

That left the county, where Negroes outnumber whites almost 6-1, with Frank E. Smith of Rte. 1 Tuskegee as the lone registrar and thus without a functioning board. State law requires a minimum of two officials for an operating board.

Macon Given Oct. 2 Deadline

Birmingham Post-Herald

Must Appoint Voter Registration Board

MONTGOMERY, Sept. 8 (AP) — The state has until Oct. 2 to appoint a voter registration board in Macon County or else see a Federal referee take over that chore in the heavily Negro-populated county.

Sat. 9-9-61

U. S. Dist. Judge Frank M. Johnson Jr. today said he will name the referee unless a full three-member board is appointed before the Oct. 2 deadline.

The judge spoke at the close of a hearing in a complaint of lagging voter registration in Macon County, then opened another hearing in a similar complaint regarding adjoining Bullock County.

Johnson's statements came after one members of the Macon Voter Registration Board, Wheeler Dyson of Tuskeegee, announced from the witness stand that he had resigned.

Birmingham

This left the board unable to function because it has only one member, Frank E. Smith of Tuskegee. State law requires at least two members for the board to operate.

Asst. State Atty. Gen Leslie Hall said the Macon Board has "tried very hard to carry out terms of the existing injunction." For the board to process any more applications would be "an intolerable burden requiring them to meet almost every day," he said. Hall noted that state law permits paying board members for only two working days per month. But he said the Macon registrars have met an average of six or eight days a month in order to carry out Johnson's order of last March 17 directing registrars to end discrimnation and get on with the registration.

Johnson also said he will expand the existing injunction to speed up processing of voter applications in Macon County and end rejection of applicants for "minor and inconsequential errors on their applications."

This came after Smith testified that a Negro woman was rejected as a voter who specified 1915 as the year, but failed to name the day and month, that she moved into her home precint Alabama law requires three months residence in the precinct for a voter.

Birmingham Post-Herald

"I have bent over backward to avoid the necessity of appointing a Federal voting referee in Macon County," Johnson declared, "and I have refused to do so even after repeated requests by the Federal government. But now I find myself in the position of having no other choice unless some charges are made immediately."

He said, however, that his amendment to the injunction will not set a 100-a-day quota for processing applications as requested by the Justic Dept.

Today's hearings were scheduled after the Justice Dept. complained that voter registration was lagging in the two counties and asked Johnson to order a step-up to insure that eligible Negroes are registered to vote in primary elections next May.

Judge Issues Decrees In Negro Voter Cases

P-8 Birmingham Post-Herald

Sat. 9-15-61

MONTGOMERY, Sept. 14 (AP)— A U. S. District judge broadened his effort today to safeguard Negro voting rights in rural Macon and Bullock Counties.

Judge Frank M. Johnson Jr. signed orders formalizing his previously announced intention to strengthen Federal controls on voter registration in the two heavily Negro-populated counties..

The decrees:

Birmingham

— Forbid the Bullock County Board of Registrars from discriminating against would-be Negro voters through double standards for each race and rejecting Negroes on technicalities.

— Threaten to appoint a Federal voter referee for Macon County if the state fails to install an "effective, operating" three-member board there by Oct. 2.

— Order the immediate registration of 84 Macon County Negroes whom, the judge said, were turned down for "technical and inconsequential errors" on their applications.

— Direct authorities in both counties to speed up the registration process to eliminate a heavy backlog of waiting Negro applicants.

Johnson issued a formal injunction against the Bullock registrars after the Justice Dept. filed suits against officials in both counties. He had declined then to sign an order against the Bullock registrars.

The judge said last Friday he would issue such orders. The announcement came after a two-day hearing on Justice Dept. complaints that registration was lagging in the two South Alabama counties.

ALABAMA PICKS VOTER OFFICERS

Gov. Patterson Acts in Macon County Case

MONTGOMERY, Ala. (AP) — Confronted with the threat of a federal voter referee to be installed within a week, the state appointed two new voter registrars for Macon county Tuesday.

Gov. John Patterson chose John E. Henderson Jr. and Roscoe Clyatt, both of Tuskegee, for the embattled jobs to serve with the present board member, Frank E. Smith, as chairman.

Thus, less than a week before the deadline set by a federal judge, the state named two registrars to fill out a three-member board for the racially troubled county where Negroes outnumber white persons about 6-1.

United States district Judge Frank M. Johnson Jr., had threatened to install a federal voter referee unless the state appoint a full board by Oct. 2 for the south Alabama county.

A spokesman for the governor said both men had agreed to serve.

Voter registration machinery broke down in Macon early this month when registrar Wheeler Dyson of Tuskegee resigned and left Smith as the only board member. State law requires a minimum of two registrars for an operating board.

Macon county registrars were defendants early this year in a justice department suit charging discrimination against Negroes.

The board has been under federal court orders since last March to sign up qualified voter applicants without regard to race or color.

Board is made operative

BY EDDIE BADGER
News staff writer

Gov. John Patterson today named two members to the Macon County Board of Registrars in a move to forestall appointment of a feedra lreferee to handle voter registration in the county.

Patterson's appointments, announced in Nashville where he is attending the Southern Governors Conference, are Roscoe Clyatt of Tuskegee, operator of an automobile body repair shop, and John E. Henderson, farmer of Tuskegee Rt. 1.

MACON HAS been without an operating board of registrars since early this month after resignation of one of the two members, Wheeler Dyson of Tuskegee.

Dyson's resignation left only Frank E. Smith, Tuskegee Rt. 1 farmer, as a board member. At least two members are required to make the board operative.

U. S. District Judge Frank M. Johnson Jr. of Montgomery on Sept. 13 signed a decree which will place the federal referee unless a board is functioning by Monday.

Today's appointments by Patterson of Cylatt and Henderson brings the board to full strength. However, it was not learned immediately whether either will serve.

It is expected that they will serve, however, since their appointments follow a conference during the recent special session of the Legislature between Patterson and Rep. Grady Rogers of Tuskegee and Sen. Lawrence K. Andrews of Union Springs.

Meanwhile lawyers from the office of State Atty. Gen. MacDonald Gallion prepared to go before the U. S. Fifth Circuit Court of Appeals in Montgomery next Tuesday to argue against a lower court's order to register 84 Negroes to vote in Macon.

Judge Johnson on Sept. 13 also amended an existing injunction which prohibited the Macon registrars from discriminating against Negroes, and ordered registration of 84 who had been turned down.

State attorneys say the 84 applicants were rejected on minor grounds, such as errors on their application blanks or questionnaires.

THE MACON officials have been under federal court orders since last March to register eligible applicants without racial discrimination.

Johnson issued his new order after Justice Department attorneys complained that prejudice against Negroes continued, and that registration was lagging in Macon County.

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Registrar Appointed

MONTGOMERY, Nov. 15 (AP)—A successor was named promptly today when a letter of resignation arrived from one of the two Macon County voter registrars appointed under a Federal court ultimatum.

Roscoe Clyatt wrote Gov. John Patterson and enclosed a doctor's statement that he is ill and should give up his place on the board of registrars as soon as a new member could be chosen.

DeWitt T. Reece of Notasulga Rt. 1 was named to replace Clyatt. He was selected by the governor and the other two members of the appointing board, State Auditor Mary Texas Hurt Garner and Agriculture Commissioner R. C. Banner.

Clyatt and John E. Henderson of Tuskegee Rt. 1 were appointed Sept. 26 after U. S. District Judge Frank M. Johnson Jr. in Montgomery threatened to assign a Federal referee to handle Macon registration.

The judge had ordered registration of all eligible Negroes in the county, but only one registrar remained in office, one less than required to perform the duties. Clyatt and Henderson were named to fill the two vacancies on the board.

Vote Board Short Again

The Macon County Board of Registrars was shy a member Monday with the resignation of a man who had been named to the troubled board only two weeks ago.

DeWitt T. Reece, Rt. 1, Notasulga, in a telegram to Gov. John Patterson, declared that on recommendation of his physician he was resigning from the seat to which he was appointed Nov. 15.

Reece's telegram was dated Nov. 22, but was not delivered to the governor until Monday.

The resignation of Reece still left the board operable, as two members remain.

U.S. District Judge Frank M. Johnson Jr. of Montgomery threatened earlier this fall to name a federal referee to handle voter registration in Macon County if local registration machinery broke down.

Macon County, with a preponderant Negro population, has for long occasions in past years been without a registration board.

New Registrar In Macon Named

Gov. John Patterson announced Friday the appointment of W. P. Mangham of Tuskegee Rt. 1 to the Macon County Board of Registrars.

The new voter registration official from Macon County, under a federal court order forbidding discrimination against Negroes, replaces Dewitt Reece of Notasulga Rt. 1, who resigned Nov. 22.

Mangham's appointment restored the board to full three-member strength. The other registrars are John E. Henderson Jr. of Tuskegee Rt. 1 and Frank Smith of Tuskegee, the board chairman.

ALABAMA

NOV. DEC.

MACON COUNTY REGISTRARS

MR. ROSCOE CLYATT- RESIGNED

MR. DeWITT T. REECE, RT. 1 NOTASULGA
(Named to replace Mr. Clyatt)

Mr. W.P. MANGHAM, RT.1- TUSKEGEE (DEC)

New Complaint Filed By Tuskegee Negroes

Birmingham Post-Herald

TUSKEGEE, July 10 (AP)—The pace of Negro voter registration has quickened rapidly in Macon County in the wake of a Federal court order, but Negro leaders still are dissatisfied.

President Charles G. Gomillion and Secretary William P. Mitchell of the Tuskegee Civic Assn. disclosed today that they have complained to the Justice Dept.

Mitchell said 290 Negroes have been registered as voters since U. S. Dist. Judge Frank M. Johnson Jr. on March 21 handed down an injunction requiring registration of all qualified applicants regardless of race.

Specifically, Johnson said any Negro whose qualifications are as good as the least qualified white voter must be accepted.

While registering the 290 new Negro voters, Mitchell said the county board of registrars has turned down some 105 applicants.

In their complaint to the Justice Dept., Mitchell and Gomillion said they did not specify the names of any rejected Negroes. But they said they did allege that the registration office was closed at noon last Wednesday instead of 5 p.m. as Johnson ordered.

Nevertheless, Mitchell said there has been a significant increase in Negro registration since Johnson issued his order prohibiting future racial discrimination.

In the three months before the injunction was signed, the Negro leader said only eight members of his race were registered to vote.

Mitchell said that of the 290 Negroes registered since March, about 80 live in Tuskegee, bringing the total number of Negro voters in the city to approximately 500 compared with an estimated 600 white voters.

At the same time, he added, only 12 to 15 white voters have been added to the poll list in the county since Johnson's order was issued.

If the trend continues, Negroes could outvote white residents of the city in the next municipal election in 1964.

Alabama Negroes Register To Vote

The Commercial Appeal

Action Follows Order By Court

Memphis Press-Scimitar

TUSKEGEE, Ala., July 10.—(UPI)—A spokesman for the Tuskegee Civic Association, William P. Mitchell, said Monday 290 Negroes have been registered as voters in Macon County since March.

The registrations followed an order from Federal Judge Frank M. Johnson Jr. of Montgomery to stop discrimination against Negroes.

Mitchell said he has no figures on how many whites were registered during the same period but he doubts there were more than a dozen.

Of the 290, about 80 Negro voters live in the city limits of Tuskegee.

This means Negroes are within 100 of being in a majority in the city. At present, there are about 500 Negro voters compared to 600 whites registered.

In the county, whites out number Negro voters more than two-to-one. Mitchell said the Negro vote total now is 1,436 compared to more than 3,000 white voters.

Johnson Orders Registrar Boards For Macon, Bullock

The Montgomery Advertiser

The state must have a functioning three-man board of registrars in Macon County by Oct. 2, U. S. District Judge Frank M. Johnson has decreed.

Earlier, he had warned he will name federal voting referees to take over the voter registration job if the state does not act to fill the two existing vacancies on the Macon board.

In another decree issued Wednesday, Johnson ordered the board of registrars in Bullock County to end discrimination against Negro voter applicants, at the same time setting out procedure to be followed in the registration process.

statements."

Johnson found "a history of racially discriminatory acts and practices in Bullock County."

Observing that the registrars at a previous hearing declared they were willing "to the point of eagerness" to register qualified Negroes, Johnson said:

"The court can do no less than conclude that the registrars have failed to live up to their sworn statements...."

Concerning Macon county, Johnson observed that when he issued a previous injunction against the registrars, there was a backlog of about 400 voter applications which has grown since to approximately 550.

Citing individual applications which were rejected, he said many Negroes were being denied the right to vote for "inconsequential, formal, and technical mistakes."

After the court's initial decree, he further observed, the registrars processed an average of 44 persons each registration day, but the number has since dropped to an average of 18 a day despite a growing backlog.

STATE FAILS

Johnson said the state failed to explain why it has not filled the vacancy created by the resignation of Cosby Johnson last March.

Another registrar, Wheeler Dyson, resigned this month, leaving only Frank Smith on the board.

LAST CHANCE

Said Johnson:

"One final chance will be afforded the State of Alabama to rectify the wrongs which have occurred in the registration of Negroes in Macon county."

Faiure to provide an effectively functioning board, he said, would be considered a denial of the opportunity to register to vote under the provisions of the 1960 Civil Rights Act.

Johnson also ordered 84 Negroes placed on the registration rolls of Macon County.

Bullock county registration practices, Johnson held, perpetuate the disparity between white and Negro voter registration by inefficient registration procedures as well as favoritism toward white applicants.

He noted testimony from a young white witness who said he had been notified the registrars would take applications last July 4, was allowed to come back a month later to complete her application, and was provided with a supporting witness by someone else.

Besides ordering an end to discriminatory practices by the Bullock registrars, Johnson provided that Department of Justice agents keep a check on them to see that they are complying with his decree.

Jan.1961 BOARD OF REGISTRARS RESIGN

MACON COUNTY

OCTOBER,1961-REGISTRARS BOARD FILLED IN MACON COUNTY

34e 1961

U.S. Is Stymied In Macon Again

Board Members Quit, Leaving Alabama Voters No Place To Register

By The Associated Press

TUSKEGEE, Ala., Jan. 12.—Federal authorities seeking a court order to protect Negro voting rights in Macon County found themselves again Thursday without a functioning voter registration board.

Wheeler Dyson and Charles Donald Scott resigned from the board and left prospective new voters with no way to register until a new board is appointed by state officials, or, perhaps, until a Federal refereee is named.

Thus the Justice Department was confronted with the same absence of a functioning board of registrars that existed when a Federal Court injunction suit was filed early in 1959 to prohibit racial discrimination.

Voting Denial Charged

The suit charged Negroes have been systematically denied voting rights in Macon County because of their race.

Scott, who returned to his former job as a Tuskegee city policeman Jan. 1, said he resigned from the board at the suggestion of Mayor Howard Rutherford and the City Council.

Dyson said he followed with his resignation because he could take no official action as the sole member of the board. The third place on the three-member group was already vacant, and it takes two members to act.

Dyson and Scott were appointed last May after the county where Negroes outnumber white residents nearly 6-1 had been without a board for 17 months.

No other appointee had been willing to serve since Federal Civil Rights Commission agents undertook an investigation of Negro voting complaints in December 1958.

No Provision For Suit

It was the absence of a functioning registration board which prompted United States Dist. Judge Frank M. Johnson Jr. at Montgomery to dismiss the Justice Department's injunction suit when it was first heard.

Johnson ruled that the resignation of E.. P. Livingston and state representative Grady Rogers left no one to prosecute. He said the Civil Rights Act passed in 1957 made no provision for bringing the State of Alabama into court as a defendant.

After the Civil Rights Act was amended last year, the Supreme Court ordered the suit restored and pointed out that the new law put the responsibility on the state.

Registrars board filled in Macon

TUSKEGEE, Ala., Oct. 2—The three posts on the Macon County Board of Registrars were officially filled today with the announcement that two new appointees had accepted.

Temoprarily at least, their acceptance apparently thwarts federal efforts to place a voter referee in the predominantly Negro county.

Roscoe Clyatt of Tuskegee said both he and John E. Henderson of Tuskegee Rt. 1, had taken the controversial positions to which they were named last week by Gov. John Patterson.

Clyatt said he could not comment on what the board's first action would be or when or if it would meet.

FRANK E. SMITH is chairman of the board, which has been under federal court orders since last March to register qualified voter applicants without regard to race or color. Negroes outnumber whites there about six to one.

The board, however, was dissolved in September by the resignation of the only other remaining member, Wheeler Dyson.

State law reuires a minimum of two registrars for an operating board.

Clyatt and Henderson, a businessman and a farmer respectively, were appointed by Patterson while he was in Nashville, Tenn., attending the Southern Governors Conference.

ALABAMA

IT WAS NOT known until today whether they had accepted.

Clyatt's statement came on the "deadline day" set by U. S. Judge Frank M. Johnson Jr. Johnson had threatened to install a federal voter referee in Macon County unless a full board was appointed by Oct. 2.

A court fight over Negro voter registration in Macon will continue Tuesday in the Fifth Circuit Court of Appeals in Montgomery.

The appellate court will hear arguments on the state's attempt to overthrow a March 7 ruling by Judge Johnson that 64 Negroes should be registered.

JOHNSON later reduced the number to 50, but at the same time directed that all qualified Negroes who apply should be signed up.

Since that time, Justice Department attorneys returned to Johnson's court complaining that voter registration in Macon was lagging.

In reply, Johnson last month listed 84 more Negroes to be registered, and threatened the installation of the federal referee to see that they were.

A spokesman for Alabama Atty. Gen. MacDonald Gallion said Tuesday's appeal refers only to Johnson's ruling of last March. But the fate of the later ruling also is expected to hinge on the appeal ruling.

TUSKEGEE HAS been a racially troubled since 1957, when a rearrangement of its city limits excluded more than 5000 persons — mostly Negroes.

The U. S. Supreme Court ruled that this was done purely to disenfranchise Negroes, and therefore was unconstitutional. Judge Johnson ordered the former boundaries restored.

The current population, under the old boundary, is about 6600.

After the city limits were redrawn, Negroes boycotted city merchants, forcing at least 12 out of business and for a time plunging the city into an economic depression.

The Alabama Legislature has given itself the power to abolish Macon altogether, and there was talk last February of introducing a bill in the recent Summer session to abolish Tuskegee's city government. But the bill was never introduced.

Charles C. Gomillion, professor at Tuskegee Institute and president of the Tuskegee Civic Assn., has been the Macon Negroes' leader in the fight for civil rights.

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Many Macon Negroes That He Ordered To Be Registered

MONTGOMERY (AP) — A federal judge who March 17 ordered 64 Negroes immediately registered to vote in Macon County has removed 14 names from the list.

U. S. District Judge Frank M. Johnson Jr. directed their removal Monday at the request of the attorney general's office. He gave the Justice Department, which brought the civil rights suit that resulted in the original order, 15 days in which to show why removal of the 14 should not be permanent.

Atty. Gen. MacDonald Gallion's representatives listed 19 who were described as ineligible to register for various reasons, and asked for a stay in regard to all 64 so that they could complete an investigation of those listed.

Of the 14 stricken, four were named by the state as living outside Alabama, one was listed as dead and nine were said to have criminal records which made them ineligible to register.

Gallion's request for a stay to apply to all 64 was denied, and he immediately appealed to Judge Richard Rives of the 5th U.S. Circuit Court of Appeals. There was no immediate ruling on the appeal.

The state also is appealing Johnson's March 17 order, which directed Macon County officials to register all qualified Negroes required registration authorities to take certain steps to reduce a backlog of unprocessed applications from Negroes, and ordered the 64 registered immediately.

VOTING SUIT IS DUE

Negro Registration Of Five In Bullock Questioned

MONTGOMERY, Ala., March 28.—(UPI)—The United States Justice Department's suit to force registration of more Negroes in Bullock County will be argued in United States Middle District Court here Wednesday.

Federal Judge Frank M. Johnson Jr., who recently ordered Macon County authorities to stop discriminating against prospective Negro voters, will preside. The case is not expected to be as long and complicated as the Macon suit which was held in Opelika last month.

There is a material difference between the Macon and Bullock suits. In the Bullock complaint, the Federal Government is challenging the practice of requiring would-be voters to get two supporting witnesses to vouch for them. The vouchers must be registered voters and no supporting witness can vouch for more than two applicants a year.

Since there are only five registered Negroes in the county, the Justice Department contends the system automatically limits the number of Negro applicants because white are reluctant to vouch for them. The Federal Government also emphasizes there are only five registered Negroes despite the fact 80 per cent of the Bullock population is Negro.

Strict Negro-Registration Orders Given Alabama County By U. S.

Montgomery, Ala., March 17 (AP)—Voter registrars in racially troubled Macon County were handed a court order Friday to register all qualified Negroes, along with a blueprint telling them how to go about it.

As the first step, United States District Judge Frank M. Johnson, Jr., directed registration authorities to put the names of 64 Negroes on the voting list immediately.

Next, the judge said a backlog of approximately 400 prospective Negro voters whose names are on a waiting list must be given priority and allowed to make former application within 120 days.

After that, Johnson decreed, registrars will be under court order to treat all applicants alike, white and Negro, and to see that everyone who is qualified by law is given a chance to vote.

Johnson's ruling came in response to a Justice Department petition for an injunction to prohibit discrimination against Negroes seeking to register.

It followed a four-day hearing in Federal Court at Opelika last month. Justice Department attorneys produced testimony at the hearing that Negroes with college degrees were turned down as voters while white applicants with little or no education were accepted.

In the future, Johnson said, registrars must refrain from discriminating in any manner. As a yardstick, he said all qualified Negroes must be registered if their answers to a uniform questionnaire are as good as those of "the least qualified white applicant."

U.S. COURT VOIDS NEGRO VOTE CURBS

Alabama County Ordered to End Discriminations—64 Names Put on List

MONTGOMERY, Ala., March 17 (AP)—Federal District Judge Frank M. Johnson Jr. today ordered sixty-four Negroes registered immediately as voters in Macon County and said that in the future all qualified Negroes must be allowed to vote.

He issued an injunction at the request of the Justice Department to prohibit in the county and future discrimination against prospective Negro voters. In the county members of that race outnumber white persons five to one. He then entered a mandatory decree for reduction of a backlog of unprocessed voting applications from Negroes.

Details of Decision

As the first step registration officials must put the names of the sixty-four Negroes on the voting list within ten days and make certain the Negroes are notified. In the handling of future applications the officials are prohibited from administering qualifying tests to Negroes "in any way different" from the manner in which tests are given to white applicants.

Going further, Judge Johnson laid down this formula:

No prospective Negro voter who is "otherwise qualified" can be denied registration if his application papers are "equal to the performance of the least qualified white applicant" who has been registered by the board.

At a hearing in Opelika last month the Justice Department produced testimony and documentary evidence that in past years Negroes with college degrees have been turned down as voters while white applicants, some of them with little or no education, have been registered without question.

Special to The New York Times.

Justice Sides Hail Order

WASHINGTON, March 17 — Justice Department officials hailed Judge Johnson's order as the most effective yet issued by a Federal judge to end ballot discrimination against Negroes.

They said that the order would get at a major problem disqualification of Negroes because of trivial or wholly subjective "errors" on their application forms.

One applicant, they cited, was repeatedly turned down because she put on the form the month and year she had arrived in the county. The registrars said that was "incorrect" because she did not give the day, according to the officials here, but never would tell her what the error was.

In the same idea the registrars approved applications by whites that contained gross factual and spelling mistakes, the department officials declared, and filled out application forms for nearly illiterate whites.

Board told to stop its race tactics

MONTGOMERY, Ala. —In a sweeping and loophole-plugging order, Federal Judge Frank L. Johnson on Friday ordered the Macon County board of registrars to stop discriminating against potential voters because of their race.

The judge also ordered the board to place 68 colored applicants on the voting list immediately and to register any colored person who is as qualified as the least qualified white person who is registered.

The board additionally was ordered to stop using literacy tests as a means of discriminating against colored applicants.

* * *

THE ORDER resulted from the four - day trial held in Opelika, Ala., early this month. The judge said the government proved that the board of registrars discriminated against colored in the following ways:

(1) By disqualifying colored for insignificant errors and qualifying whites regardless of errors.

(2) By accepting whites for registration immediately and forcing colored to wait for long periods of time.

(3) By assisting whites and denying similar assistance to colored.

(4) By giving long literacy tests to colored but short tests or none to whites.

Judge Johnson ordered the board to stop doing all of these things.

* * *

IN ADDITION, other details of the order are such that if a board resigns in order to deny registration to colored, it is likely to be in contempt of court.

Macon County is where Tuskegee Institute is located. The area has almost six times as many colored as whites.

However, whites outvote colored about four to one. According to a survey by the U.S. Civil Rights Commission, the smaller number of colored voters is due to discriminatory practices by the board of registrars.

Registrars Told To List Negroes

Alabama Practice Is Hit By U.S. Court—Conspiracy Claim Quashed

By United Press International

MONTGOMERY, Ala., March 17.—A Federal judge Friday struck down conspiracy charges brought by four integration leaders, but in a separate suit held that Alabama officials must halt discrimination against Negro voters.

The integration leaders accused Alabama Gov. John Patterson, the sheriffs of Montgomery, Jefferson, Mobile and Marengo Counties and Montgomery's three city commissioners of entering into a conspiracy to sue them for libel.

In a non-related action, Federal Judge Frank M. Johnson ordered Macon County authorities to quit discriminating against prospective Negro voters.

Writing Test Curbed

He directed county registrars to place the names of 64 Negroes on registration lists within the next 10 days and further directed the registrars to halt the practice of requiring prospective voters to write long sections of the United States Constitution. Judge Johnson said the reading - writing tests should be limited to "50 consecutive words."

"The evidence in this case is overwhelmingly to the effect that the State of Alabama, acting through its agents, including former members of the board of registrars of Macon County, has deliberately engaged in acts and practices designed to discriminate against qualified Negroes in their efforts to register to vote," he said.

The conspiracy charges against Alabama officials were filed by Revs. Ralph Abernathy and Solomon S. Seeay Jr., both of Montgomery, Fred Shuttlesworth of Birmingham and J. E. Lowery of Mobile.

Opinion Sharply Worded

In quashing the charges Judge Johnson handed down a sharply-worded opinion in which he said circumstances of the case did not justify Federal intervention.

The Negroes filed the suit Feb. 23 in a last-ditch effort to keep authorities from attaching their personal property to help pay for one million dollars in libel damages assessed against them.

Commissioners Earl James and L. B. Sullivan each won $500,000 in damages for a full-page advertisement which appeared in the New York Times March 29, 1960. The advertisement sought funds for the legal defense of Martin Luther King Jr. of Atlanta, who was accused, but later acquitted, of perjury in filing his 1958 Alabama income tax return.

The advertisement was signed by such prominent persons as Eleanor Roosevelt, Jackie Robinson and Shelley Winters, in addition to the four Alabama ministers.

The Times appealed the libel judgments but the Negroes failed to ask for a new trial within the 30-day limit. When the deadline passed, sheriffs in Montgomery, Jefferson, Mobile and Marengo began attaching property belonging to the ministers to help settle the judgment—largest libel award in the world.

The Negroes went to Judge Johnson's court demanding the Federal jurist force the Montogmery County Circuit Court to permit them to appeal the libel judgment. Judge Johnson dismissed the request, saying his court had no jurisdiction in the matter. The Negroes then filed the conspiracy charges.

Governor Patterson was made a defendant in the suit because the chief executive has filed a $1,500,000 libel suit against the four ministers.

'Dangerous Precedent' Seen By Alabama Governor

MONTGOMERY, Ala., March 17.—(UPI)—Gov. John Patterson Friday accused Federal Judge Frank M. Johnson Jr. of trying to turn over the political control of Alabama counties to Negroes.

Governor Patterson said Johnson's decision in the Macon County case "sets a dangerous precedent."

He said, "the decision of the Federal Court is all too far-reaching and sets a dangerous precedent. Adequate procedures are outlined in our state law for persons to appeal to state and Federal courts if they feel they have been illegally deprived of their right to register.

"The Federal Court could have required that the plaintiffs in this case seek redress in the state courts and thus have preserved the good relations between the state and Federal governments. Since I have been in public office I do not recall a single case in which a Negro has availed himself of the state appeal statutes.

"In rendering this decision, it appears the Federal judge has rewritten the state Registration Law to suit his own fancy. He has brushed aside our state laws and state Constitution.

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Johnson assailed—

Judge accused of misusing office

MONTGOMERY, Ala., March 18—A state legislator Saturday accused U. S. Dist. Judge Frank M. Johnson Jr. of "gross misuse of his office" in the federal judge's criticism of the Alabama Legislature.

Rep. Pete Turnham of Lee issued an angry reply to Johnson's statement from the bench Wednesday.

Commenting on the case of a miner before him, Johnson said state lawmakers "should concern themselves with taking care of these young men instead of abolishing Macon County."

Rep. Turnham, a member of the committee which is considering whether to split the Black Belt county among surrounding counties, replied:

"Judge Johnson, by his recent statement, clearly indicates he not only wants to use his office to make laws instead of rule on them, but that he would also like to run the Alabama Legislature as well.

"His statement was a gross misuse of his office as federal judge being paid with our tax dollars. He is apparently working hard to take over Earl Warren's job (chief justice of the U. S. Supreme Court) in Washington."

THE MACON committee has been meeting in executive session here the past several days conducting hearings on the possibility of abolishing the county entirely.

The committee, headed by Sen. L .K. Andrews of Bullock and Macon, conferred with Gov. John Patterson earlier in the week.

Judge Johnson has thrown out a state law setting up new boundaries for the city of Tuskegee in Macon County, which gerrymandered all but a handful of Negroes out of the city.

Friday, in another ruling, he ordered immediate registration of 64 Macon Negroes as voters and directed steps for registering other

Gallion Asks Fund For Rights Probes

Urges $25,000 For Investigations

MONTGOMERY, March 16 (AP)—A $25,000 annual fund to finance investigations—mainly of racial and civil rights issues—was proposed today by Atty. Gen. MacDonald Gallion.

"The fund could be used—and could be badly needed—if we are to keep our legal fences intact for the next two years," he told a committee studying budget needs for the next two fiscal years starting Oct. 1.

Gallion was one of several state officials outlining their budget requests to the committee headed by State Finance Director Maurice Patterson. The group heard first from non-school agencies which operate out of the state's general fund.

Gov. John Patterson will study the committee's findings before submitting his recommended budget to the Legislature this Summer.

The proposed $25,000 fund would be used, Gallion said, "to pay for investigations of any kind we deem proper, including, and especially, matters dealing with civil rights, racial agitation and related things."

Don't Have Dime

Gallion, whose request for a similar request was turned down by the 1959 Legislature, told the committee:

"At the present we don't have a dime. I don't know of another attorney general's department in the United States that doesn't have some source of investigative funds."

Asst. Atty. Gen. William N. McQueen cited an example of the

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FBI having 10 agents at work checking files and questioning witnesses before the recent Federal Court hearing on Negro voting complaints in Macon County.

With no money to hire investigators, he said, the Alabama attorney general's staff "had to do it on our own."

Gallion asked for a total appropriation of $301,000 for the next fiscal year, and estimated his department's spending for the current year at $250,612.

The State Prison Dept., anticipating a substantial drop in earnings from a cotton mill, tag plant and other prison industries, asked for a $650,000 increase. That would raise the department's general fund budget from an estimated $1,250,000 this year to $1 million in 1961-62.

Prisoner Cost Low

Director Frank Lee told the committee that because of the income from the prisons, it costs Alabama taxpayers far less to support the penitentiary population than the national average.

Of the $2.33 per day which goes to feed and clothe each convict in Alabama, Lee said prison earnings pay $1.66 and the state only 67 cents. For the nation as a whole, he said, it costs the taxpayers $2.90 a day per prisoner.

Other budget requests were (this year's estimated expenditures and next year's requested appropriation):

Health Dept.—$715,000 and $821,000; Legislative Reference Service—$60,931 and $68,494; Parole Board — $523,000 and $795,000; secretary of state—$44,143 and $69,634; state auditor—$42,696 and $50,448.

Examiners of accounts—$604,486 and $685,056; Supreme Court — $235,120 and $259,044; Court of Appeals—$86,660 and $92,110; public library service — $179,695 and $273,299; state toxicologist — $164,000 and $205,100; state soil conservation committee — $26,035 and $37,315.

MACON COUNTY

US Judge Is Raked By Four Legislators

MONTGOMERY, Ala. — A federal judge's criticism of the state legislature for what he indicated was too much concern with "abolishing Macon County" has drawn sharp replies from four state House members.

The four issued prepared statements Thursday. Their tenor was that U. S. District Court Judge Frank M. Johnson Jr. should tend to judicial affairs and leave the legislature alone.

Johnson's remarks came from the bench Tuesday as he considered the case of 20-year-old Charles Edward Fink Jr. of Chicago. The judge said: "These legislators should concern themselves with taking care of these young men instead of abolishing Macon County."

The four representatives who answered Johnson are members of a legislative committee with authority to recommend abolition of Macon County, which is heavily populated by Negroes, to keep control in white hands.

However, the four emphasized that they spoke as individual legislators and not as members of the committee.

Rep. Pete Turnham of Lee County said that Johnson, "by his recent statement, clearly indicates he not only wants to use his office to make laws instead of rule on them, but that he would also like to run the Alabama Legislature as well. His statement was a gross misuse of his office as a federal judge being paid with our tax dollar." And, in an apparent reference to Chief Justice Earl Warren of the U. S. Supreme Court, Turnham added that Johnson "is apparently working hard to take over Mr. Warren's job in Washington."

Macon group meets, confers with Patterson

MONTGOMERY, Ala., March 15—(AP)—A meeting of the Legislature's Macon County abolition committee yesterday was followed by a conference attended by several members and Gov. John Patterson.

There was no indication of what was discussed at the session with Patterson, which came after the committee met behind closed doors with Tuskegee Mayor Howard Rutherford and city councilmen.

Among topics reportedly discussed with city officials was a recent Federal Court decision knocking out a state law which eliminated most Negro voting in Tuskegee. The 1957 act changed the city limits to exclude most Negro residents.

A bill to abolish the city government has been drawn for presentation to the Legislature this year. However, Mayor Rutherford has said he had nothing to do with it. The measure would turn municipa affairs over to boards appointed by the governor and Legislature, thus keeping political control in the hands of white persons, who are outnumbered by Negroes in Tuskegee and Macon County.

Macon Leaders Meet Behind Closed Doors

MONTGOMERY (AP) — A meeting of the legislature's Macon County Abolition Committee Tuesday was followed by a conference attended by several members and Gov. John Patterson.

There was no indications of what was discussed at the session with Patterson, which came after the committee met behind closed doors with Tuskegee Mayor Howard Rutherford and city councilmen.

Among topics reportedly discussed was a recent federal court decision knocking out a state law which eliminated most Negro voting in Tuskegee. The 1957 act changed the city limits to exclude most Negro residents.

A bill to abolish the city government has been drawn for presentation to the legislature this year. However, Mayor Rutherford, who attended Tuesday's meeting, has said he had nothing to do with it.

Negro Says Mass Racial Vote Unlikely

TUSKEGEE (AP) — Although Negroes ultimately may be elected to office in Macon County, a spokesman Monday discounted the likelihood of a mass Negro vote solely for racial pride.

President Charles G. Gomillion of the Tuskegee Civic Association predicted that members of his race given the right to vote under a federal court order will support Negro candidates "only if they are qualified."

His comment, in an interview, was prompted by last Friday's decision by U.S. Dist. Judge Frank M. Johnson Jr. ordering the registration of all qualified Negroes in the county.

SUPPORT WHITES

"I do not believe Negroes would vote solidly for a Negro simply because he is a Negro," Gomillion added.

The Tuskegee Institute faculty member said that, in his opinion, Negro voters might choose to support white candidates for some offices.

"It's like choosing a lawyer in certain types of lawsuits," he explained. "Negroes may feel that a Negro lawyer is as well qualified as a white attorney and at the same time feel that the white lawyer would have a better chance in a Southern court."

Negroes in Alabama frequently are represented by white attorneys in court.

BEST CHANCE

Gomillion said offices such as the County Board of Education and the Tuskegee City Council appear to offer the best chance of success for Negro candidates and the best way to attract mass Negro support.

He said there would be "justification" for Negroes to vote in a bloc for a candidate for the school board, for instance, because schools are still segregated and a sizable majority of the school children in Macon County are Negroes.

Gomillion declined to guess at how many Negroes might seek registration under the federal order. But he said the civic association which has long fought for equality at the polls will encourage as many as possible to apply.

Negroes Testify On Registration

Statements Contrast To Those Of Whites In Macon Case

By United Press International

OPELIKA, Ala., Feb. 20.—A Negro high school graduate testified Monday she was given a pencil to fill out voter application papers in Macon County and then refused admittance to the rolls because the forms were not filled out in ink.

Lena Johnson of Tuskegee said after waiting all day without being registered in August, 1958, she returned in September, filled out the forms and wrote two lengthy sections of the United States Constitution before the registrars rejected the pencil-written application papers.

Her testimony came after a long line of Negro witnesses testified that they were kept waiting for hours, given waiting list numbers in the hundreds while fewer than three dozen persons were waiting and made to write long paragraphs intheir futile attempts to register in the county.

Whites' Testimony

They came in contrast to earlier statements from whites, who said they had little formal education, and testified they had little trouble in registering.

The contrasting statements spearheaded the Federal case against the Macon County Board of Registrars and the State of Alabama, accused in a civil rights suit of systematically discriminating against prospective Negro voters.

The Federal complaint notes that although Negroes outnumber whites 6-1 in the county, there are twice as many white registered voters as there are Negro voters.

The state denies any discriminatory practices.

Mrs. Maybelle Hickman, 62, who said, "I ain't never bin to school," testified former registrar Grady Rogers, now a state representative, came to her house and asked her if she wanted to become a registered voter. She said her daughter-in-law, Katherine Hickman, filled out the application and signed her name. She said all she was asked was where she was born and how old she was.

Segregated Facilities

United States Atty. Robert Owen underlined in his questioning that the registrars utilized segregated facilities in testing Negro applicants and that at no time did they offer to assist in filling out the applications or copying the lengthy sections of the constitution.

The Federal Government is expected to put up to 50 witnesses on the stand, and the state to offer about 15 defense witnesses.

The suit against Macon County was filed originally under the 1957 Civil Rights Act two years ago. However, United States Middle District Judge Frank M. Johnson Jr. of Montgomery dismissed the complaint after two registrars resigned.

Judge Johnson held that there was no one to sue and that the 1957 act did not permit the state to be sued by the Federal Government in racial discrimination cases. The judge's ruling was upheld by the 5th United States Circuit Court of Appeals in New Orleans.

The complaint was restored when the 1960 Civil Rights Act enabled the division to name states in their suits as responsible for registration, and then the United States Supreme Court ordered the case replaced on the docket.

Lawmakers Under Fire Of Johnson

By ARTHUR OSGOODE

One prisoner got a break, other defendants got sentences, and the Alabama Legislature got a rap on the knuckles in U.S. District Court here Wednesday.

The lawmakers came under fire as Judge Frank M. Johnson Jr. was sentencing 20-year-old Charles Edward Fink Jr., who has eight months of a state sentence to serve in Draper Prison.

The judge asked Fink if he was kept with the general run of prisoners at the prison—that is, not segregated with other youthful first offenders. Fink said he was.

Johnson observed that it might be a good idea "if state legislators concerned themselves with these young men with no prison records, instead of concerning themselves with abolishing Macon County."

He gave Fink, who is from Hodgkins, Ill., an indefinite sentence in a federal training camp for young offenders. And he asked attorneys to try to get Fink released from the rest of his state prison sentence.

BREAK FOR ANOTHER

Prisons Commissioner Frank Lee acknowledged that Fink was with older prisoners at Draper. But he said he "has every reason to believe" the Legislature will act to correct the situation.

"There are not enough quarters," said Lee. He said youthful offenders are sent to Draper, but that all the prisoners there do not fall into this category.

The break was for another convict, who still has more than nine years to serve in a state prison.

Ernest L. Aaron, a white man, was charged with manufacturing an Army identification card. A sentence would have neant a federal detainer, which in turn would have meant that he would have had to serve out his entire state term and then begin the federal term.

This would have knocked out Aaron's chances for parole, so Judge Johnson called on Asst. U.S. Atty. Ira DeMent for a recommendation.

DeMent urged leniency, in the form of a fine which would not hurt Aaron's parole chances. Johnson accepted the recommendation and went it one better. He fined Aaron $250, but specifed that he not be committed to jail for failure to pay it.

CIVIL ACTION

That meant that Aaron, if he doesn't pay up voluntarily, must be sued for the amount of fine in a civil action. It meant, too, his chances of parole weren't knocked out.

Johnson also took time out during the busy court session to persuade a defendant that he wasn't being persecuted.

James Thomas Powell, along with James Everett Brooks, was charged with conspiring to escape the county jail while a federal prisoner. He was specifically charged with getting hacksaw blades smuggled into a jail cell.

Powell complained that he was finement because it was felt he wasn't a trustworthy prisoner.

He then recited previous trouble he has had with the prisoner, saying: 'I've gone out of my way to be fair with you." By doing so, he said, he was seeking to show Powell that he had been treated fairly.

OTHER ACTION

Powell pleaded not guilty.

Pleading guilty to sale of amphetamine sulphate ("Bennies") without a prescription at a Phenix City service station and to be sentenced were Kenneth J. Bragg and an employe, Garland W. Knight.

To be tried is Francis Lannen, Toledo, Ohio, charged with transporting his nieces to Andalusia for immoral purposes. Lannen pleaded not guilty.

A Ft. Rucker warrant officer, Donald J. Eskew, also pleaded not guilty and is to be tried next month. He is charged with lying during his trial here on a charge of sending fraudulent checks through the mails. He was acquitted.

A Kilby Prison guard charged with a scheme in which a fraudulent check was sent through the mails was absent when three

convicts pleaded not guilty to the same charge.

The guard, Levi Wilburn Hughes, has not been found and arrested. The convicts he is charged with conspiring with—Paul Eskell Stanford, James Malcolm Watson, and Eugene Aaron—all pleaded not guilty and will be tried.

A young Chilton County man, Grover Minor, was sentenced to nine months in a moonshine liquor case, and his wife Dorothy Blackman Minor, had her case continued for sentencing with a warning from Johnson.

Johnson continued her case until her husband's release, warning her in the meantime to care for her children and to stay out of the illegal whisky business.

Plea To Stay Macon Order Turned Down

State attorneys Wednesday lost a bid to stop the registration of 50 Macon County Negroes, as ordred by U.S. District Judge Frank M. Johnson Jr.

Judge Richard T. Rives, in a brief order, refused to stay the execution of the order.

He held it was not necessary for him to step in in order to preserve the rights of the state.

The stay was asked pending an appeal of Johnson's decree, issued almost two weeks ago.

Johnson, in ordering a speed-up of registration of qualified Negroes as voters, also ordered the names of 64 Negroes who had been rejected added to the voter list.

But he subsequently ordered 14 of the names temporarily removed, pending clarification of their status. The state held that of the 14, nine had criminal records, one had died, and four had left Alabama.

Johnson's order required Macon County registrars not to discriminate against Negro voter applicants by applying stiffer standards for them than for white voters, and to maintain regular times and places for registration.

The order set out a pattern which the registrars are required to follow, and hinted appointment of a federal referee if its provisions are not followed.

In Court—

Legislature Chided For Macon Concern

MONTGOMERY, March 15 (AP)—U. S. Dist. Judge Frank M. Johnson Jr. criticized the Alabama Legislature today for concerning itself so much with "abolishing Macon County."

While considering the case of a 20-year-old man who pleaded guilty to a Federal charge but who is serving a prison term for a state offense, the judge said angrily from the bench:

"These legislators should concern themselves with taking care of these young men instead of abolishing Macon County."

It was Johnson who last month knocked out a 1957 legislative act which virtually did away with Negro voting in Tuskegee, county seat of heavily Negro-populated Macon County.

The statute he ruled unconstitutional redrew Tuskegee's city limits and left all but a handful of Negro voters outside. Negroes outnumber white residents about 5-1 in Macon County.

Johnson also is expected to rule soon on a Justice Dept. suit seeking a Federal Court injunction to prohibit Macon County voter registrars from discriminating against Negro applicants.

His remark today may have been prompted by recent closed-door meetings of the Legislature's Macon County abolition committee. Several committee members also conferred with Gov. John Patterson yesterday.

The committee meetings reportedly have been for the purpose of discussing proposed measures aimed at keeping Negroes from gaining political control in Tuskegee and Macon County.

One bill already drafted for introduction in the Legislature in May would abolish the city government and turn the municipal affairs over to boards appointed by the Legislature and the governor.

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ALABAMA

Ph.D.'s Too Dumb But Illiterates Can Vote

The Afro-American Baltimore Md.

Sat. 3-4-61

Witnesses describe Ala. discrimination

p. 6

OPELIKA, Ala. — After listening to three days of testimony describing how colored persons with doctor's and master's degrees were denied the right to vote while white persons who could not write their names were registered, Federal Judge Frank M. Johnson Jr. took under advisement a suit against Macon County registrars. No date for a ruling was set.

The suit, brought by the U.S. Civil Rights Commission, asks the court to enjoin the registrars from future discrimination.

Among the scores of colored witnesses testifying were professors as Tuskegee Institute. They told how they were either denied or delayed in registering to vote.

* * *

THE MOST DAMAGING testimony against the registrars came, however, from white voters and from the registrars themselves. Although the registrars both former and incumbent, testified that there was no racial discrimination, several things came out under sharp cross-examination.

They admitted that: Many white persons were registered who should have been disqualified; that colored applicants were required to copy long passages of the Constitution while white applicants did not; that there were separate examination rooms for white and colored applicants, and, on one occasion, the registrar signed up white applicants in the courthouse vault while colored applicants waited in the registrars' office.

* * *

THE THREE-DAY hearing featured testimony from one white voter, Mrs. Maybell S. Hickman, 62, who said:

"I ain't never been to school and I can't read or write."

She was registered, she said, by Grady Rogers who came to her home. Then a registrar, Rogers is now a State Representative. She said further that her daughter-in-law put nothing on the application form but her "X" and that Rogers accepted that also. It was Rogers who later admitted signing white voters in the vault. He said he was not dodging colored applicants.

Mrs. Lela Berry, 69, also white, testified that a registrar came to her home and that she only wrote somethig on the bottom line. The rest of the form had already been filled out, she said.

None of the white witnesses remembered having been questioned on the meaning of the Constitution. They said also that they were given help in answering some of the questions.

Testimony also brought out that registrars spent as much as 10 days going from house to house in rural areas taking registrations whereas they spent only five days in the biggest precinct in the county — Tuskegee. No colored eligibles were visited by the registrars on their rural jaunts.

In Tuskegee, where colored eligibles outnumber whites six to one, a "slowdown' by registrars was allegedly staged. Only five colored persons per month were registered.

* * *

AMONG THE colored witnesses was Dr. Daniel Webster Wynn, a faculty member at Tuskegee Institute. Dr. Wynn has four college degrees — one of which is the doctor of philosophy. He said he was turned down for registration in 1957.

When he returned to apply again, he was given a number and told to wait until it was called. The number was never called, he said. He still has not been registered.

Mrs. Marie Williams, a high school graduate with over three years of college training, went to the courthouse five time to register. She said she was required to write lengthy sections of the Constitution but never registered. She is a variety-store manager.

Miss Betty B. Quinn, a registered nurse, said she was registered only after going to the registrars office four times. Mrs. Carrie E. White also made four trips before being registered.

* * *

QUESTIONED BY government lawyers, Charles Scott admitted that it probably was not necessary to have seven and eight pages from the Constitution in order to determine whether they could write. Another registrar said they could tell if a white registrant could write after only a few lines.

Concerning the testimony by whites they were not required to copy from the Contitution, one registrar said that the requirement was waived when they visited rural districts.

Asked why white voters were accepted when colored voters who made the same errors on their application blanks were refused, Ed Livingston said:

"That must have been an error on the board, that's all I can think of."

The government produced one paper from a successful white applicant with the following question-answer sequence:

Q: Have you ever been legally declared Insane?

A: No.

Q: If so, give details.

A: High School.

Another white applicant refused to answer the question: "Would you aid and comfort enemies of the United States and the State of Alabama?"

Livingston said that if the omission had been noticed, the applicant would not have passed.

As the case drew to a close, after days of testimony, Alabama registrars firmly stuck to their contention that there was no racial discrimination in Alabama registration.

MACON COUNTY

B'ham Weekly

Removal Of Obstacles

U.S. District Judge Frank M. Johnson, Jr. has handed down a significant ruling growing out of racial discrimination and disfranchisement in Macon County. Evidence presented by the Federal government at the recent Tuskegee vote denial trials revealed shocking voter-registration practices and schemes which appeared to be purposefully designed to bar members of the Negro group from getting their names on the poll lists.

B'ham Wkly.

Federal Judge Johnson has found that the evidence revealed and established a pattern of systematic racial discrimination and ordered such unconstitutional practices stopped. He also ordered that the names of 64 Negro vote applicants to be placed on the voter-registration list. He instructed the Macon County Board of Registrars to process an accumulated stack of 400 voter-registration applications which had not been acted upon.

Wkly. 3-27-61

Meantime he laid down a yardstick by which registrars must be guided in considering applicants for the ballot. He refused to order federal referees at this time but asked the U. S. Department of Justice to furnish him with the names of three persons who meet the qualification of referees.

Of course, the reaction from some politicians is that Macon County might be dismembered. Should Macon be dissolved and attached to some other counties would not likely free Alabama from responsibility of complying. It could open the way for similar federal to be initiated in those counties which would annex Macon. In so doing, that would annex the voter-registration responsibility so well enuniciated in Judge Johnson's opinion, it seems to us.

Even more than this is the observation that the Federal government is moving hard and fast against wrongful discrimination. It needs only to widen and deepen its drive to include the whole Black Belt. Probably such a drive would dry up this talk about abolition of Macon County because such an extended total drive for fast, fair, and bulky voter-registration would include the whole Black.

Abolition of the Black Belt, should the disfranchisers so decide, would tend to pave the way for reapportionment; reduce the payroll where those hostile voice have drawn economic strength, and slender Alabama to about fifty-two counties. This also would probably make the Congressional re-districting easier.

Yet non-voters need to take full advantage of these new openings made in their behalf. Our civic leaders should take heart by this decision by Judge Johnson by stepping up voter-registration stimulation. Our group needs to get on the move for the ballot on a 67-county basis. Democracy works best when voter-registration works well.

Let us applaud every effort for the removal of obstacles designed to weaken our nation, deny any minority, and shame our form of government. The ballot is the liberty bell of democracy.

DIVISION OF BEHAVIORAL SCIENCE

Vote Issue Bores Judge

Tuskegee Decision Due

MONTGOMERY, Ala. — With Federal District Judge Frank M. Johnson Jr., faced with the dilemma of ruling on the possible abolishment of Macon County which includes Tuskegee and its large Negro population, the Federal jurist indicated some degree of boredom with the problem by chiding Macon County officials.

In a hearing on a 20-year-old white man charged with a Federal offense, who had pleaded guilty while serving a sentence for a state offense, Judge Johnson commented:

"These legislators should concern themselves with taking care of these young men instead of abolishing Macon County."

IT WAS the first indication of his feeling on the controversial matter in which state assemblymen are working on measures to abolish Macon County, which includes Tuskegee Institute.

Meanwhile, The Courier learned that meetings have been held in Tuskegee between Dr. Charles G. Gomillion and Tuskegee Mayor Howard Rutherford.

Dr. Gomillion, the Rev. K. L. Buford and Dan Beasley, top men in the Tuskegee Civic Association, were closeted with the Mayor last week on problems involving the long boycott which has put Tuskegee white merchants in a hole.

There was no public comment on the outcome of the meeting, execpt that both sides were hopeful that something beneficial would result.

But white segregationists went ahead with their plans to work out a legislative act to abolish Macon County and to rid the area of its Negro voters. How far this proposal will get is a matter of speculation.

City attorneys in Tuskegee have adivsed that the city limits is constitutional. They say that to fight the ruling would be a waste of time and money.

Negroes Hike Voter Ranks At Tuskegee

TUSKEGEE (AP) — The pace of Negro voter registration has quickened rapidly in Macon County in the wake of a federal court order, but Negro leaders are still dissatisfied.

President Charles G. Gomillion and Secretary William P. Mitchell of the Tuskegee Civic Association disclosed Monday that they have complained to the Justice Department.

Mitchell said 290 Negroes have been registered as voters since U.S. Dist. Judge Frank M. Johnson Jr. on March 21 handed down an injunction requiring registration of all qualified applicants regardless of race.

Specifically, Johnson said any Negro whose qualifications are as good as the least qualified white voter must be accepted.

105 REJECTED

While registering the 290 new Negro voters, Mitchell said the County Board of Registrars has turned down some 105 applicants.

In their complaint to the Justice Department, Mitchell and Gomillion said, they did not specify the names of any rejected Negroes. But they said they did alledge that the registration office was closed at noon last Wednesday instead of 5 p.m. as Johnson ordered.

Nevertheless, Mitchell said there has been a significant increase in Negro registration since Johnson issued his order prohibiting future racial discrimination.

In the three months before the injunction was signed, the Negro leader said only eight members of his race were registered to vote.

Mitchell said that of the 290 Negroes registered since March, about 80 live in Tuskegee, bringing the total number of Negro voters in the city to approximately 500 compared with an estimated 600 white voters.

WHITES ADDED

At the same time, he added, only 12 to 15 white voters have been added to the poll list in the county since Johnson's order was issued.

If the trend continues, Negroes could outvote white residents of the city in the next municipal election in 1964.

The Montgomery Advertiser p.1 2tcd. 9-27-61

Voter Registrars Named

Montgomery also

Gov. John Patterson Tuesday filled two empty places on the Macon County Board of Registrars, only six days before the deadline set by a federal judge.

U.S. District Judge Frank M. Johnson Jr., had warned that unless a "functioning" board were appointed by Oct. 2 he would name a federal referee to take over the job of registering voters.

Named to the registrar posts are Roscoe Clyatt of Tuskegee and John E. Henderson of Tuskegee, Rt. 1. The third registrar is Frank E. Smith, Tuskegee.

Smith is the only holdover from the board holding office at the time charges of discrimination against Negro voters were aired last March. The other two members, Wheeler Dyson and Donald Scott, have since resigned.

At the close of the March hearing, Johnson ordered an end to discriminatory practices designed to hold down Negro voter registration. But he declined to name a voter referee as urged to by government attorneys.

Johnson later heard Justice Department charges that the registrars were not complying with his order.

It was then he issued the warning that he would appoint a federal referee unless a full board was named. He also called for a speedup in the registration procedures.

The new board now has two farmers, Smith and Henderson, and a Tuskegee businessman, Clyatt, who operates an automobile repair shop and fishing tackle business.

A governor's office spokesman said both men had agreed to serve, but no comment could be gotten from either Clyatt or Henderson Tuesday. Henderson could not be reached. Clyatt said he had been instructed by the governor's office not to comment.

New Registration Method Coming

The Birmingham News p.14 Wed. 9-27-61

Gov. Patterson after obvious close and proper study has signed into law a bill to provide centralized administration and grading of voter registration applications.

The bill to create a three-man state board to handle this had been discussed with the question in mind whether such centralization might be an open door to Bobby Kennedy's lawyers to dominate all Alabama registration in, as old novelists might have put it, one fell swoop.

Attorneys opinions varied as to this. The governor presumably now has reasonable assurance that the method will not make this state's registration procedures more vulnerable.

If elimination of decentralized registration decisions, in 67 counties, *were* to make us victim of federal agents, then obviously the move would be bad. But a presumed saving aspect is that through such state centralization, it could be harder to charge than a given voter is being denied registration because a particular registrar or two or three members of a board have gone off to a get a sandwich somewhere.

The process, to operate safely, certainly will have to be administered without regard to race. There is nothing wrong with this, certainly, and a tight scrutiny of *all* registration applications long has been in order. While *The News* vigorously has opposed federally-standardized procedures, such as no literacy test at all, or a sixth-grade level literacy requirement as currently Kennedy-proposed, greater uniformity has been very much in order.

Nobody should be registered unless he or she clearly is qualified, and by standards which are not low, either. We need the best electorate, in trying times at present and to come, we possibly can get within reason.

Gov. Patterson, further, has named two new members to the Macon County board to forestall Judge Frank Johnson's federal threat to impose a voter referee to decide who can and who cannot vote in that county. Such power is Judge Johnson's under the 1960 Civil Rights Act.

Alabama, state government and local, necessarily must be concerned about the franchise, who administers it and how. It is plainly evident that very good judgment must be used in review of voter applications. But regardless of anyone's fears, it is equally obvious that the way to handle our own business best is not to slam the door of the registrar's office in the face of obviously qualified voters of either race. Doing so would merely invite a greater stream of federal agents into Alabama.

New Registrars Named In Macon

Birmingham News

Board Completed Before Deadline

Wed. 9-27-61

MONTGOMERY, Sept. 26 (AP)— Confronted with the threat of a Federal voter referee to be installed within a week, the state appointed two new voter registrars for Macon County today.

Gov. John Patterson chose John E. Henderson Jr., Tuskegee Rt. 1, and Roscoe Clyatt, Tuskegee, for the embattled jobs to serve with the present board member, Frank E. Smith, Tuskegee Rt. 1, as chairman.

Birmingham, Ala.

Thus, less than a week before the deadline set by a U. S. judge, the state named two registrars to fill out a three-member board for the racially troubled county where Negroes outnumber white persons about 6-1.

U. S. District Judge Frank M. Johnson Jr. had threatened to install a Federal voter referee unless the state appointed a full board by Oct. 2 for the South Alabama county.

The governor's office announced the two appointments. Patterson himself is attending the Southern Governor's Conference in Nashville.

A spokesman said both men had agreed to serve, but Clyatt declined comment on that until he was formally notified of his selection. Henderson was unavailable. Their appointments reportedly were being wired to them.

Voter registration machinery broke down in Macon early this month when Registrar Wheeler Dyson of Tuskegee resigned and left Smith as the only board member. State law requires a minimum of two registrars for an operating board.

Macon County registrars were defendants early this year in a Justice Dept. suit charging discrimination against Negroes. The board has been under Federal court orders since last March to sign up qualified voter applicants without regard to race or color.

Johnson issued the Federal referee ultimatum Sept. 13 after a hearing on Justice Dept. complaints of lagging registration in Macon County. It came out at the hearing that Dyson had resigned.

The judge also ordered the Macon board to speed up the registration process and to quit turning down would-be Negro voters for "minor and inconsequential errors on their applications."

Macon man mum about registrar job

The Birmingham News p.1 Wed. 9-27-61

TUSKEGEE, Ala., Sept. 27 — One of two men appointed yesterday by Gov. John Patterson to the Macon County Board of Registrars today declined to comment on whether he would serve. The other man could not be reached.

John E. Henderson Jr., Tuskegee Rt. 1, and Roscoe Clyatt, Tuskegee, were appointed by the governor in an apparent move to forestall appointment of a federal referee to handle voter registration in the county.

The appointments were announced from Nashville, where Patterson is attending the Southern Governor's Conference.

CLYATT, OPERATOR of a body shop and fishing tackle establishment in Tuskegee, said today he would have no comment to make on the appointment until Monday.

Wed. 9-27-61

Monday is the deadline placed by U. S. District Judge Frank Johnson Jr. for appointment of a federal referee unless a board is functioning in Macon.

Clyatt said he had been officially notified of the appointment, but had been advised not to comment on it until Monday.

He denied a statement carried in a Montgomery newspaper that he had been advised by the governor's office not to comment.

Birmingham

"I was advised not to comment," Clyatt said, "but not by the governor's office."

Henderson, the other new appointee, is a large-scale cotton farmer.

A SPOKESMAN for the governor's office said both men had agreed to serve.

These appointments, if accepted, would fill out the three-member board for the racially troubled county, where Negroes outnumber whites by about six to one.

Chairman of the board is Frank E. Smith, Tuskegee Rt. 1, who continued on the board after the resignation early this month of Wheeler Dyson, Tuskegee.

That left Smith the only board member. State law requires a minimum of two registrars for an operating board.

Freezing The Ratio

The upholding of a substantial white majority at the ballot boxes in Alabama is the obvious if not admitted objective of the voter registration amendment to be submitted to the voters for ratification or rejection Dec. 5.

The amendment calls for the creation of a state registration board which would not only prepare a variety of written examinations to be given voter applicants but would also grade the examinations in color-blind fashion. There would be no clue on the examination paper as to the race of the applicant.

This total absence of racial discrimination in the grading of the examinations might at first glance appear to be a concession of enormous proportions. It is in fact something less than that.

The important point is that this amendment is in no wise retroactive. The preponderance of Alabama voters today is white. The purpose of the amendment is to preserve this ratio. Only through the mass registration of Negroes could there be a significant shift in the balance of voting power in Alabama. Under the pending amendment it is not contemplated that there will be any mass registration of white or Negro. This can be controlled by the adoption of stiff examinations.

Proponents of the amendment readily concede that in some instances it might well result in the registration of some Negroes while white applicants might be rejected. This, they contend, on a small scale would be healthy. It would prove that in Alabama at least the precious right to vote is not denied any deserving citizen, no matter the color of his skin.

Local boards of registrars will continue to function if the amendment is ratified, and they too will contribute toward keeping down any wholesale registration of new voters. It would be the responsibility of the local boards to determine who shall take the test. Such basic requirements as age, residency and literacy will be determined locally, and once a person has been adjudged as meeting these qualifications he can then take the written examination.

Once the applicant has cleared the local board hurdle and then passes the written test he may be registered to vote. However, a failing grade on the state exam would mean the applicant would have to wait 12 months before trying again. This is but another of the safety valves against large scale registration.

The application of this plan could cause some difficulty in Macon County, where there is a large segment of educated Negroes associated with Tuskegee Institute. It is likely that many of these Negro faculty members would be registered to vote, perhaps in sufficient numbers to jeopardize the white majority in that county.

Supporters of the amendment are more realistic than optimistic in commenting on the Macon County problem. They agree that the amendment could very well lead to the registration of these Negroes, but they further contend that many of these same Negroes will soon be registered anyway, if not by the state, then by the federal judiciary.

ALABAMA

Voter List Ruling Will Be Appealed

Alabama Case Is Set For Hearing Oct. 3

MONTGOMERY, Ala., Sept. 25.—(UPI)—State attorneys will seek to have the United States Fifth Circuit Court of Appeals overturn Federal Judge Frank Johnson's order that certain Negroes be placed on Macon County voter lists.

The case before the appellate court is set for Oct. 3 in the Federal building here.

Judge Johnson ordered the registration of the Negroes and an end to discriminatory practices by the Macon County Board of Registrars after a hearing brought by the Justice Department in March.

Four Negro ministers als will seek to have the appellate court overrule Judge Johnson's dismissal of a request for an injunction against the prosecution of two libel suits here.

The appeal, brought by Revs. Ralph Abernathy and S. S. Seay Sr. of Montgomery, Fred Shuttlesworth of Birmingham and J. E. Lowery of Mobile, is scheduled Oct. 9.

The Negroes had asked Judge Johnson to stop $500,000 libel suits brought against them by Gov. John Patterson and City Commissioner Frank Parks, and to enjoin levies on their propety to satisfy a half-million dollar judgment on a libel suit won by Police Commissioner L. B. Sullivan.

Judge Johnson held the issue could be litibated properly in state courts.

Defendants in the case are Governor Patterson, Commissioner Sullivan Parks, Mayor Earl James, Montgomery County Sheriff Mac Sim Butler, Mobile County Sheriff Ray D. Bridges, Jefferson County Sheriff Holt A. McDowell and Marengo County Sheriff Wilmer Shield.

Dateline: Tuskegee—

Conflicting aspirations key to Macon

Who are some of the people involved in the Macon County voting rights controversy? What are their opinions, what do they think of the situation? Here are thumbnail sketches of six people directly or indirectly involved. They are not necessarily representative of all thought in their particular communities, nor are they the only ones whose thoughts could usefully be analyzed. They do, however, offer a cross-section of opinion as it affects the current atmosphere. This is the eighth article in a series.

BY JAMES E. JACOBSON, News staff writer

It is sometimes easy to fall into the trap, in matters charged with as much emotion as that which permeates Macon County today, to forget that basically, beyond everything else, what is involved are people.

The name of Dr. C. G. Gomillion, for example, crops up frequently in news stories datelined Tuskegee. Most people know by now that he is on the faculty of Tuskegee Institute (chairman of the division of social sciences and assistant professor of sociology) and that he is president of the Tuskegee Civic Assn., the Negro organization which has been in the van of the drive for voting rights.



JACOBSON

Dr. Gomillion is a native South Carolinian with an A.B. degree from Paine College in Augusta, Ga., and a Ph.D. from Ohio State University. He has been at Tuskegee Institute for 32 years, during which time he has also served as dean of education and dean of students in addition to his teaching duties.

"One thing irritates me in the Deep South," he said in an interview—adding quickly "And I intend to stay. It's my home. I have no intention of leaving voluntarily. I'm going to try and stay and help the South become what I think it's capable of becoming. I'm vain enough to believe I can make a contribution.

"One thing that irritates me though," he began again, "is to hear folks accuse those of us interested in extending democracy of being agitators influenced by outsiders, or to have somebody ask me, 'How did you get this way.'



GOMILLION

Born in South Carolina

"I WAS BORN IN SOUTH CAROLINA. My first eight years of education consisted of 26 months in elementary school, which is about all that was available to Negroes. During that time, in the upper grades, I read the same civics texts as white children, and I believed what I read. That's how I 'got this way.' It seemed to mean that persons should practice what I read. It irks me for whites to express surprise that Negroes want to practice what they learn. They expect their children to apply it, why not us?"

On specific complaints, Dr. Gomillion said that "not one single Negro has ever worked at the polls, for example, out of 108 poll workers. Another example, not long ago a county committee on aging was formed. It had 12 people on it, and not one of them was a Negro. Now, it's unrealistic to believe that in a county with 80 per cent Negro population none of them are aging."

"We don't imply that all Negroes are qualified for participation at the various levels," he said at another point. "We know that there are limitations, because they have had limited opportunity. But some faculty members take the view that those able to contribute ought not be deprived of that opportunity simply because they are Negroes. The criterion should be mainly ability."

ASKED ABOUT REPORTS that he was once cited by the House Un-American Activities committee, Gomillion said, "I was a member of the Southern Negro Youth Congress in the late '30s and '40s. That group was later listed as a Communist front, and I had previously been affiliated with it. That's probably what they were talking about." He also confirmed that he is presently a member of the board of directors of the controversial Highlander Folk School at Mounteagle, Tenn.

He denied, however, that his shift from dean of students to chairman of the division of social studies was any "demotion" for his publicized out-of-school activities. "Some people who like administrative work might consider it a demotion," he said, "but my major interest is teaching and research. I stayed in administration only because the presidents allowed me to function as a citizen without restriction."

Another familiar name to followers of the Macon County situation is Wheeler Dyson, employe of a farm equipment company and a member of the present board of registrars. He was chairman of the previous one. Frank Smith is chairman of the present board but Dyson, who is about the same distance from dead center on one side as Gomillion is on the other, is better known.



DYSON

Although he makes no bones about his feelings on the matter, he and Smith have moved to comply with federal court orders in registering and accepting applications from prospective Negro voters.

He denies, however, that there has been any discrimination in the past as far as he was directly concerned. "While I was on the board, there has not been any discrimination," he said. "We've treated them all the same. Before I was on the board, I don't know."

DYSON IS ONE OF MANY IN Macon County who believe that their problems have been compounded by the publicity they have received. "If the newspapers and TV and all would just leave us alone," he said, "I think we'd be all right. I honestly believe that."

He also expressed doubt about the effectiveness of the Negro boycott of white merchants. "Every time I go to town," he said, "I can't find a place to park. I think we have a better, stronger town now than before the boycott ever happened.

Dyson concluded his comments with the observation that "I don't see why we can't all get along together here. If a man doesn't like the town he lives in, he should move. If I lived somewhere and was dissatisfied, I'd find somewhere else to go."

One of the persons who have been more active than most in fostering the pressure which has brought federal attention to Macon County's voter registration practices is William P. Mitchell, a physical therapy assistant at the big Veteran's Administration Hospital outside Tuskegee. He himself is not a resident of the city.

Mitchell came from Bessemer to attend Tuskegee Institute in 1931, and since 1935 he has made his residence in Macon County. Activity in the voting rights field is nothing new to him. He was the plaintiff in a case against the Macon County registrars which began in 1943. "After three years of litigation," he said, "all the way up to the Supreme Court and back, they finally decided that I'd been registered all along and all I needed to do was pay my poll tax."



MITCHELL

He has been active in the Tuskegee Civic Assn. for 20 years and is presently executive secretary and chairman of the group's voter franchise committee. Part of the TCA's role in the voting field, he said, is to conduct voter registration clinics in which "we go over the form with prospective registrants."

MITCHELL SAID THE TCA WAS and still is the focal point of Negro civic activities, but as to its role in any boycott he said that the group "has never told Negroes not to shop downtown. We have simply attempted to educate them and encourage them to make their own analysis."

The present mayor of Tuskegee is Howard Rutherford, a newcomer to politics who had some rough sledding his first time out even though he won the election.

He defeated incumbent Mayor Phil Lightfoot in the Sept. 19 municipal election last year, but his eligibility was contested and it was not until he won a second endorsement at the polls in November that he finally moved into the office he originally won in September.



RUTHERFORD

The mayor, another Macon Countian who has reservations about newspaper publicity, gives the impression of being an honest, hard-working man who is sincerely concerned about his community's problems and wants to find a solution to them.

The current tensions are a part of these problems, quite naturally, but they are not all of them. There is still the day-to-day business of running a small town and keping the wheels turning efficiently. Mayor Rutherford seems to be capable of the job. The city of Tuskegee is economically healthy, even with a loss in revenue since the boycott. There is not a parking meter in town, and the city and county tax rates are among the lowest in the state. Yet it consistently operates in the black, principally because it has purchased the electric power company with the receipts from that and the water service makes enough money to meet its needs.

There are some who feel that the new mayor might be a little "softer" in his attitude toward the Negro community than his predecessors. One white resident said the new officials "may be a little more lenient than I'm willing to go," and even Gomillion said that "I get the feeling" that Rutherford "is more open-minded than previous mayors," although he added the comment that "how much he and his associates will be able to do is questionable. No doubt any attempt to provide more opportunity for (Negro) participation in civic affairs will have great opposition from the former power structure."

The mayor has had at least one meeting with Gomillion and a couple of other TCA leaders since he took office, but he was unwilling to discuss it.

THIS DOES NOT MEAN that Mayor Rutherford is particularly sympathetic with Gomillion and the TCA, but rather that he recognizes a community problem and may at least be willing to talk about possible solutions.

Another person often mentioned in connection with Tuskegee and Macon County, whose influence is felt even though he is not

a direct participant in the present struggle, is Dr. Luther H. Foster, president of Tuskegee Institute.



FOSTER

A native Virginian, Dr. Foster is a keenly intelligent man, an outstanding educator and administrator. Only 48 years old now, he was business manager at Tuskegee from 1941 until he became its president in 1953. He holds bachelor's degrees from Hampton Institute and Virginia State College, the master's degree from Harvard, and Ph.D. from the University of Chicago.

While his primary interest is in making Tuskegee Institute a better school—developments since he took over and optimistic plans for the future attest his success— and while he has not actively, personally participated in the Negro vote drive in Macon County, he allows his faculty and staff freedom to express themselves as individuals—within reason. A professor who helped organize a student march in sympathy with the sit-ins learned, according to reports, that there are limits to Dr. Foster's tolerance.

His personal feeling he states plainly: "It is important and even urgent that cities and communities throughout America look and work for the future rather than reflect nostalgically about the past. Our obligation is to the future."

A young Tuskegee physician is emerging as one of the important spokesmen in the white community. Dr. Riley Lumpkin, a 35-year-old graduate of the University of Alabama medical school who has been practicing in his home town for two years, is a member of the city council and president of the Macon County League.

DR. LUMPKIN DENIES THAT the idea for the League, which he says grew out of the juvenile delinquency problem and then overlapped into other areas, was his alone. But he is the man most closely identified with the group which now has representation from more than 50 civic, service, educational and similar organizations.



LUMPKIN

It was natural that the group's interest should move into other fields, Dr. Lumpkin says, and just as natural that the racial situation should be one of them. The group has gone on record in opposition to any plan to abolish Macon County, at least at the present time.

All of the groups presently represented in the League are white. Dr. Lumpkin said of possible representation from Negro groups that "none have applied."

While admitting that he knew he was not speaking for all members of the League, he said that "we must realize that we can't back away from this problem. We've got to meet it. The trouble is that we haven't been meeting people fair and square, and we have to do that now."

He said that the League's executive committee has discussed the possibility of forming an interracial committee as one way of trying to work out problems.

"I think the situation is going to improve," he said later. "Macon County has a good future."

Johnson puts law above all else

BY REX THOMAS

MONTGOMERY, Ala., April 8—(AP)—As a federal judge, Frank M. Johnson Jr. has outraged many white persons with his decisions in civil rights matters. He has made Negroes unhappy, too.

Nevertheless, taking his creed from a fellow Republican, Abraham Lincoln, the 42-year-old native of the North Alabama hill country says "I do the very best I know how. The very best I can; and mean to keep doing so until the end."

Again and again in the course of a day's work, the decorated, twice-wounded World War II hero is reminded of the Lincolnesque philosophy imprinted on a paper holder on his desk.

But, putting it into his own words, Johnson reflects a stern dedication to the application of the law of the land no matter what the consequences.

"If a judge on the federal bench becomes concerned with public reaction to his decisions in any field of litigation," he philosophizes, "then he doesn't have any business handling that type of case.

"His sole duty is to ascertain what the law is and make application of that law to the facts presented in any particular case.

"That is as far as his authority goes, and it should be as far as his concern goes."

AND THEN, WITH an obvious thought to racial matters, he sums it up with these words:

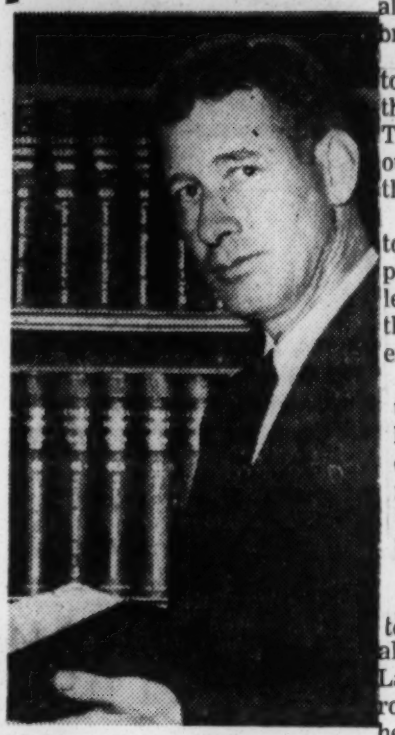
"I don't see how a judge who approaches these cases with any other philosophy, particularly if he was born and reared in the South, can discharge his oath and the responsibility of his office."

Johnson is well aware of the intense feelings among many white persons in the Central Alabama district over which he presides, but by and large he says most people—those he regards as intelligent and fair-minded—have treated him with respectful courtesy.

HE HAS RECEIVED crank letters and telephone calls—in recent months he has changed his phone at home to an unlisted number—but passes that off as the anguished resentment of "the type of people I don't care about."

Johnson once told an interviewer:

"If you compliment me (on a decision) because you think it's good law, I appreciate it. If you compliment me because you like the decision, I don't appreciate it. If you criticize me because you don't like the decision, I don't care for that, either. If you criticize me because you think it's bad law, that's fair criticism and I don't resent it."



Judge F. M. Johnson Jr.

That, in a sense, is Judge Johnson wrapped up in a few words. He is an ardent student of the law, an unemotional judge who puts the law above all else in his severely administered courtroom.

HE ANTAGONIZED uncounted thousands of white persons with his ruling on bus segregation in Montgomery, on Negro voting in Macon County.

But when he concluded the law was on the side of the white populace—or, more accurately, against Negroes appearing in his court—he ruled as promptly and forcefully against them.

Even though he later ordered all qualified Negroes registered as voters in Macon County, Johnson at first threw the federal government's case out of court because he felt that the law wouldn't permit the Justice Department to do what it sought to do—bring the state is as a defendant.

LATER, AFTER the law was changed, he ruled with equal alacrity that the state could be brought in.

Again, because he considered it to be the law, Johnson dismissed the gerrymandering suit against Tuskegee. He ultimately knocked out the law on instructions from the Supreme Court.

And, when six Negroes appealed to him to set aside their expulsions from Alabama State College at Montgmery, he turned them down — unequivocally and emphatically.

He went even further, ruling that the students had deliberately sought to "provoke discord, disorder, disturbance and disruption on the campus . . . in the zeal to focus public attention" on segregation.

ON THE BENCH, the tall, intensely serious Johnson is a stern, almost iron-fisted disciplinarian. Lawyers who practice in his courtroom describe him as "tough as hell—but fair."

His response to that definition is blunt and incisive: "I'll stand on that."

"I tried a lot of cases as a lawyer," he reminisced, "and I never complained about a judge who was fair.

"I have had no difficulty or trouble with a lawyer in my court who came to court prepared and attempted to try his case according to the well-established rules of evidence and procedure.

"The only lawyers—and there are very few of them—I have found it necessary to reprimand or call down came to court for the purposes of grandstanding and doing what we lawyers used to call muddying the water."

JOHNSON HAS all but abolished oral arguments in non-jury cases as "aimless talk" which waste the time of a court confronted with a crowded docket. Instead, he orders attorneys to submit their arguments in written briefs —then moves on to another case.

Outside the courtroom, Johnson is much the same—shy, unobtrusive, usually found in company of his family or his most intimate firends. He plays golf for exercise and relaxation—sometimes shooting in the low 80s—but seldom with anyone but those closely connected with his court.

AS A BOY in Notrh Alabama—where he was born in Winston County Oct. 30, 1918—Johnson loved to fish in the Tennessee River. He does little fishing now because there is little opportunity around Montgomery except in ponds, and he doesn't consider that real sport.

Occasionally he bowls—more for "therapeudtic value" than anything else.

Johnson—who at 37 became one of the youngest federal judges in the nation—was born in a county reluctant to secede from the Union during the Civil War. Winston had no slaves then; few Negroes now.

HE GRADUATED from Gulf Coast Military Academy, attended business school in Birmingham, and got his law degree from the University of Alabama. As a 20-year-old fresehman, he married Ruth Jenkins, and worked as a school carpenter to help pay his way through college.

Interrupting his law practice to enter the Army in World War II as a private, he went to Europe as a combat infantry officer, was wounded twice, decorated with the Bronze Star, meritorious action medal, combat infantryman award. He was discharged as a captain.

In 1953, he was appointed U. S. district attorney in Birimngham, and two years later he took the late C. B. Kennamer's place as judge of the middle Alabama district.

Politically active until he took his seat on the bench, Johnson was a delegate to the 1948 Republican National convention, headed the Alabama Veterns for Eisenhower in 1952, and served on the state Republican Executive Committee. He gave up that office when he became district attorney.

MACON COUNTY
TUSKEGEE AND MACON COUNTY OFFICIALS STATE. . .NOT ACCOUNTABLE FOR GERRYMANDERING ALMOST ALL OF NEGRO VOTERS OUT OF TUSKEGEE CITY ELECTIONS

Officials Deny Gerrymander Responsibility

Tuskegee and Macon County officials say they can't be held accountable for gerrymandering almost all Negro voters out of Tuskegee city elections.

In an answer filed in U.S. District Court here, they contended that the gerrymandering act was the responsibility of the legislature.

The answer was in response to a suit reinstated by the U.S. Supreme Court after it had been thrown out by U.S. District Judge Frank M. Johnson Jr. and the 5th U.S. Circuit Court of Appeals.

FIX CITY LIMITS

Both Johnson and the appellate court held that the power of the legislature to fix city limits lay outside the authority of the courts.

But the Supreme Court disagreed, holding that an act that deprived Negroes of voting rights violated their constitutional guarantees. It ordered the case reopened in line with its decision.

The act, passed in 1957, left less than a dozen Negro voters inside the city limits of Tuskegee, while excluding close to 400. Two white voters were excluded.

ANSWER TO SUIT

Tuskegee Negroes are asking an injunction against enforcement of the gerrymandering act.

The Macon officials also said in the answer to the suit that three of the Negro complainants are not registered voters. The three were listed as Willie D. Bentley, Kenneth L. Buford, and Della D. Sullivan.

Regarding the complaint, they said they "are without authority to speak for the State of Alabama" as to the motives behind the gerrymandering.

Members of the Legislature are not named in the suit, which is against only city and county officials.

Attorneys James J. Carter and T. B. Hill Jr. of Montgomery, and Harry D. Raymon of Tuskegee also attacked as objectionable exhibits accompanying the Negroes' complaint.

These included a Time magazine article entitled "How to Deny a Vote" and based on the gerrymandering amendment. Another is an Advertiser article on the Macon gerrymandering bill introduced by Highway Director Sam Engelhardt.

Macon Vote Registrars Quit Posts

Federal Probers Again Confronted With Vacant Board

TUSKEGEE (AP) — Federal authorities seeking a court order to protect Negro voting rights in Macon County found themselves again Thursday without a functioning voter registration board.

Wheeler Dyson and Charles Donald Scott resigned from the board and left prospective new voters with no way to register until a new board is appointed by state officials, or, perhaps, until a federal referee is named.

Thursday the Justice Department was confronted withthe same absence of a functioning board of registrars that existed when a federal court injunction suit was filed early in 1959 to prohibit racial discrimination.

RETURNS TO HOME

The suit charged Negroes have been systematically denied voting rights in Macon County because of their race.

Scott, who returned to his former job as a Tuskegee city policeman Jan. 1, said he resigned from the board at the suggestion of Mayor Howard Rutherford and the city council.

Dyson said he followed with his resignation because he could take no official action as the sole member of the board. The third place on the three-member group was already vacant, and it takes two members to act.

Dyson and Scott were appointed last May after the county where Negroes outnumber white residents nearly 6-1 had been without a board for 17 months.

NO OTHERS WILLING

No other appointee had been willing to serve since federal Civil Rights Commission agents undertook an investigation of Negro voting complaints in December 1958.

It was the absence of a functioning registration board which prompted U.S. Dist. Judge Frank M. Johnson Jr. at Montgomery to dismiss the Justice Department's injunction suit when it was first heard.

Johnson ruled that the resignation of E. P. Livingston and State Rep. Grady Rogers left no one to prosecute. He said the Civil Rights Act passed in 1957 made no provision for bringing the State of Alabama into court as a defendant.

After the Civil Rights Act was amended last year, the Supreme Court ordered the suit restored and pointed out that the new law put the responsibility on the state.

Registrars Unit Named For Macon

A new board of registrars was appointed for Macon County Tuesday, the fourth such board to be named in the racially troubled county in the past 18 months.

Gov. John Patterson announced the appointment of the new voter registration board at a news conference, declaring that if the federal government "would leave us alone we might be able to keep a board over there."

NEW BOARD

Members of the new board are Frank Smith and Cosby Johnson, both of Rt. 1, Tuskegee, and Wheeler Dyson, Tuskegee. Smith was named chairman.

The Justice Department months ago filed a suit against the Macon board charging it with denying Negroes the right to vote.

The first such board to be appointed during the Patterson Administration was on July 15, 1959. All three appointees declined to serve.

In November 1959, three more members were appointed, but only one accepted the appointment — Wheeler Dyson.

Dyson was the only member of the board until May 1960 when two additional members were appointed, but one of these refused to serve.

Dyson and his colleague, Charles D. Scott, both resigned Jan. 6 of this year, but Dyson agreed to be reappointed Tuesday.

New Board For Macon Appointed

MONTGOMERY, Jan. 31 (UPI)— Gov. John Patterson today announced the appointment of a new board of registrars for Macon County where the Justice Dept. claims Negroes are being robbed of their voting rights.

Among the three members is Wheeler Dyson, former chairman of the board, who resigned Jan. 7 along with the other board member, Charles Donald Scott. Both men face civil rights action charging discrimination against Negro voter applicants.

Chairman of the new board is Frank Smith of Tuskegee, and Cosby Johnson of Tuskegee is the third member.

The board has now had 10 separate members since July 1959, with Dyson serving on three boards.

College Grads Tell Of Vote Denial

Uneducated Macon White Voters Tell Of Registering At Home

BY REX THOMAS

OPELIKA, Feb. 20 (AP)—Federal attorneys put testimony into the record today that Negroes with college degrees have been turned down as voters in Macon County while white men and women with little or no education were allowed to vote.

This was the picture drawn by lawyers for the Justice Dept. seeking a Federal court injunction to prohibit future discrimination against prospective Negro voters.

The hearing before U. S. Dist. Judge Frank M. Johnson Jr., which opened here today, is expected to last most of the week.

Witness Tell Story

Government witnesses testified that:

1. Negroes seeking to register as voters were required to copy in longhand lengthy passages from the Federal Constitution but several white applicants said no such requirement was imposed on them.

2. White applicants in some instances got help from registration officials in filling out the questionnaires, but Negroes did not.

3. Although the Negro witnesses said they were forced to journey to the county seat, Tuskegee, to apply for registration, members of the board of registrars visited white applicants and in some instances registered them in their homes.

One white witness called by the Justice Dept. said she was registered even though she had never been to school and can not read or write.

Another said she was permitted to vote even though she went only through the fifth grade in school and her husband, likewise registered as a voter, had only a third grade education.

By contrast, one Negro witness after another testified she had at least a high school education: two of them said they were turned down as voters despite the fact that they have college degrees.

Couldn't Read or Write

"I ain't never been to school and I can't read or write," admitted Mrs. Maybelle S. Hickman, 62, in telling the court she was registered at her home in 1957 by state Rep. Grady Rogers. He was a member of the Board of Registrars at that time.

She said a daughter-in-law filled out the application form and that she wrote nothing on it except "a little crossmark" before Rogers accepted it and added her name to the poll list.

Similar testimony came from another white voter, 69-year-old Mrs. Lela Berry. She said Rogers and another board member registered her at her home and that she only wrote "something on a line or two at the bottom" of the already-completed application.

By contrast, Negro witnesses testified they had to answer all questions on the form, plus copy long passages from the U. S. Constitution. Never, they said, did registrars help them or accept their applications at their home.

Leadoff Federal witness was Mrs. Marie Williams, who identified herself as a variety store supervisor and a high school graduate with three and one-half years' college training.

Five times, she testified, she went to the courthouse in Tuskegee, made formal application and wrote sections of the Federal Constitution. But she said she was never registered.

Signed on 4th Trip

Cross-examining Mrs. Williams, state's attorneys emphasized errors in some of her applications, pointing out that she wrote two different birth dates for herself and two birthplaces for her husband.

Another high school-educated Negro witness, registered nurse Betty B. Quinn, said she was finally registered on the fourth trip to the registrars' office. Mrs. Carrie Ella White said she applied four times before she was registered.

The state, on cross-examination of the Quinn woman, again noted application mistakes. Attorneys said she wrote her birthplace on the wrong line and also failed to say how long she had lived in a certain precinct. They also pointed out errors on Mrs. White's applications.

Still another Negro witness, Eugenia C. Billes, who holds a bachelor's degree in education, said she never heard from the application she filled out on the third trip to the courthouse. She said she waited without seeing a registrar the first two times.

All the Negro witnesses said it took them as long as two hours to copy sections of the Constitution. Some said they were also required to read portions of it.

Only a few spectators, most of them Negroes, watched the proceedings in the newly redecorated Federal courtroom. Among them was C. G. Gomillion, a faculty member at Tuskegee Institute and president of the pro-integration Tuskegee Civic Assn.

The state's case, which will probably start about midweek, is expected to contend that white and Negro applicants are treated alike by voter registrars in the heavily Negro-populated county.

Suit against registrars in Macon begins

BY AL STANTON
News staff writer

OPELIKA, Ala., Feb. 20—Several Negroes who charge they have been turned down as voters because of their race were expected to be called by the Justice Department today as it opened its suit against Macon County registrars and the state of Alabama.

The Justice Department was expected to attempt to prove that discrimination against prospective Negro voters had become a pattern in Macon County.



STANTON

The long-delayed trial before Judge Frank M. Johnson Jr. in U. S. District Court may last most of the week.

The government is seeking a court order to prohibit future alleged discrimination.

State's attorneys were expected to dispute the Justice Department's case with testimony that white and Negro applicants are treated alike by registrars in the county where Negro voting has long been a major problem.

Although Negroes outnumber whites nearly six to 1, there are twice as many white voters.

ATTY. GEN. MacDonald Gallion is heading the state's defense.

The federal government estimated it would take three days to complete its testimony. The state said it might take another two days for its case.

Negroes have long complained that registration authorities in Macon County have turned them down solely because of their race. Registration machinery has broken down periodically—as long as 18 months at a time—because of the absence of a functioning Board of Registrars.

The pending injunction suit was filed by the Justice Department two years ago and first thrown out of court by Johnson on grounds that the death of one registrar and the resignation of the other two left no one to issue an injunction against.

JOHNSON RULED that the 1957 Civil Rights Act, under which the suit was drawn up, permitted court action only against individual defendants and not against the state or county governments.

Later, after the civil rights law was amended in 1960, the Supreme Court ordered the suit restored to the docket and heard on its merits.

The 1960 law permitted the state to be brought in as a defendant because registrars are appointed by state officials.

Legislature may take over in Tuskegee

TUSKEGEE, Ala., Feb. 18—Already armed with the power to abolish Macon County, the Alabama Legislature reportedly will study still another means of preventing Negroes from gaining political control in Tuskegee.

The Associated Press said it learned Saturday that a bill to abolish the Tuskegee city government will be introduced in the next session of the Legislature in May.

This followed Friday's ruling by Federal Judge Frank M. Johnson Jr. that the rearrangement of Tuskegee's city limits in 1957 was done purely to disenfranchise Negro voters, and therefore unconstitutional. He ordered officials not to enforce the 4-year-old statute.

Pending appeal, this means that Tuskegee reverts to its former square shape; that Tuskegee Institute again becomes part of the city, and that the population jumps overnight from 1750 to about 6600. Most of the increase would be Negroes.

Series of setbacks

UNDER THE PROPOSED measure to abolish city government, major functions of the city would be turned over to appointed boards.

This would be the latest in a series of setbacks to Tuskegee Negroes, who since 1957 have looked to Charles C. Gomillion for leadership in their fight for civil rights.

Gomillion, a professor at Tuskegee Institute and president of the Tuskegee Civic Assn., was the first of 12 Negroes to sign his name to the suit charging that the boundary change was unconstitutional.

Since the time the city limits were redrawn, many Tuskegee Negroes have boycotted local merchants, forcing at least 12 out of business and once plunging the city into an economic depression.

Trade improves

MERCHANTS in the last 12 months have reported some increase in Negro business. But most of the personnel at Tuskegee Institute, and most of the 1500 **Negro employes at the huge veterans hospital here still do not trade in Tuskegee.**

There is precedent for a Legislature to appoint local officials. Former Rep. J. W. Brassell of Russell County sponsored a bill several years ago for the Legislature to appoint the county judge of Juvenile Court.

Rep. Grady Rogers of Macon County told The News earlier that the Supreme Court's recent condemnation of the boundary change "might have some bearing on future action in the Legislature."

Hearing Monday

PRESUMABLY HE was referring to abolition of the city government, although his remark at the time was interpreted as meaning that efforts would be made to exercise the law permitting abolition of the county.

With the change in the city limits declared unconstitutional, Tuskegee begins this week feeling the double sting of federal wrath.

A hearing on a petition for an injunction to halt alleged discrimination against Macon Negro voters opens in Opelika Monday. The government's suit names as defendants the chairman of the Macon Board of Registrars, a former member who resigned last month, and the state of Alabama.

This will be the second trial of the suit to force registration of Negro voters in Macon County, and the first to be tried under the strengthened 1960 Civil Rights Act.

You Can't Do It, Tuskegee

Bham News
Bham Ala
Editorial 2-20-62
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In ruling unconstitutional the 1957 law gerrymandering city limits of the community of Tuskegee so that some 400 Negro voters were excluded into countryism where in franchise they would be less influential, Federal Judge Frank M. Johnson has carried the court into an area which it historically has usually sought to avoid.

That is not to say the federal court lacks authority so to move. It would be naive to deny the reality of such power. The court clearly has ruled that constitutional rights of Negroes, who were plaintiffs, were denied. Inherently the case has to be assessed as one in which the court concludes that it was motive which was the paramount judicial consideration. In short, Judge Johnson has not ruled that the state Legislature doesn't have authority to fix municipal



Judge Johnson

boundaries. It has simply ruled that cannot do so if the intent of such legi lation inherently is to deprive person o persons of a right which would normall presumably be theirs.

The Legislature thus is charged in effect with malicious intent.

That has weight, of course. For it was plain maliciousness of a sort which directed the Legislature's action upon request of white Tuskegee folk. These were irritated with the Negroes, because of integration activity and the growing core of mixing pressure from within Tuskegee Institute environs. Negroes, further, had boycotted businesses in Tuskegee and retaliation was obviously a human response, hence gerrymander.

But though the federal judicial power cannot effectively be denied, it will be allowable to say that in such judgment the court has intruded—whatever the legitimacy of intrusion in assumed good cause constitutionally. Here there is a clear conflict of rights. It is the right of a given group of people to isolate themselves as a community if they see fit to do so. But Judge Johnson says you cannot set up a *white* community. Why not?

Negroes excluded by gerrymander legitimately argue that they had been citizens of the community as it was, and that they were deprived of rights by the exclusion.

Now, whose right is final? The court gives the nod to the Negroes. But this it cannot do without depriving white Tuskegee citizens of their right of choice as to whom they elect to unite with in forming a city, how large that city shall be, and how the controlling lines shall be drawn. There also is a question as to whether justice by federal court verdict does not inherently mean injustice at the same time to a duly elected, official legislative body. For there is nothing in the U. S. Constitution which gives the federal government specific mandate to dictate to state governments how they shall legislate as to municipal boundaries. The federal court must rely on an inherent constitutional power to maintain presumed constitutional rights of the individual, in this case the Negro legislated out of Tuskegee.

It follows that to protect this constitutional right, the court had to involve itself not with state legislative power nor the right of whites' free choice of municipal association, but the individual's—the Negro's—constitutional rights. The court had to decide which way lay justice in the greatest degree. But in a legal dispute such as this it is inescapable that when the scale is tipped one way, it is necessary to borrow from justice in the other direction.

MACON COUNTY Feb.1961
THE MACON COUNTY SUIT-GERRYMANDER(TRIAL
OPELIKA,ALA.

Victorious Tuskegee Negroes Return To U.S. Court Today

The Montgomery Advertiser

By REX THOMAS

OPELIKA (AP) — Negroes, newly victorious in the Tuskegee gerrymandering battle, return to federal court Monday in hope of getting more voters registered throughout Macon County.

U.S. Dist Judge Frank M. Johnson Jr. will open a hearing on the Justice Department's suit for an injunction to prohibit state and county authorities from denying Negroes the right to vote because of their race.

The trial, expected to last most of the week, will produce testimony from Negroes who say they have been turned down as prospective voters solely because of their color. It was their complaints on which the suit was based.

State's attorneys, on the other hand, are expected to present testimony that white and Negro applicants are treated alike where Negro voting has long been a contentious issue.

Although Negroes outnumber white residents nearly 6-1, there are twice as many white voters as Negroes on the poll lists. Voter registration machinery was broken down repeatedly over the years because of the periodic absence of a functioning board to consider new applications.

The Justice Department has charged that registration authorities for many years have systematically discriminated against prospective Negro voters.

Similar injunctions, under the federal Civil Rights Act, have been issued in Terrell County, Ga., Washington Parish, La., Fayette County, Tenn., and Haywood County, Tenn.

The Macon County suit, filed two years ago, was at first thrown out of court by Johnson on the grounds that there was no one in against. One member of the registration board had died, the other two resigned; and Johnson ruled that the 1957 Civil Rights Act made no provision for taking action against the state or county.

Tuskegee Reversed On Gerrymander

The Atlanta Constitution

MONTGOMERY, Ala. (AP)—A state law redrawing Tuskegee's city limits and all but abolishing Negro voting there was declared unconstitutional by a federal judge Friday.

At the same time U.S. District Judge Frank M. Johnson Jr. issued an order prohibiting city-county authorities from enforcing the 1957 state law which left only a handful of Negro voters in Tuskegee.

Ruling on a suit filed by 12 Tuskegee Negroes, Johnson concluded that the four-year-old statute deprives Negroes of rights guaranteed by the fifteenth amendment to the U.S. Constitution.

The law branded as illegal rearranged Tuskegee's municipal boundaries and reduced from about 400 to only four or five the number of Negro voters living inside the city limits.

Tuskegee, located 40 miles east of here in east-central Alabama, is the county seat of Macon County where Negroes outnumber white residents nearly 6-1.

C. G. Gomillion, president of the Tuskegee Civic Association, and the 11 other Negro complainants charged that the Legislature discriminated against them in passing the act.

Forbidden to enforce the law were the defendants, Tuskegee Mayor Howard Rutherford, Police Chief O. L. Hodnett, Macon County Sheriff Preston Hornsby, Probate Judge William Varner and members of the city council and county board of revenue.

The Negro suit contended that before 1957 Tuskegee's city limits were square-shaped and contained about 5,400 Negroes, including some 400 Negro voters.

After the law was enacted, the Negroes complained, Tuskegee's city limits resembled a "sea dragon" with 28 sides and with Negro neighborhoods eliminated, leaving only four or five Negro voters.

The Legislature, Johnson said in his ruling, "was solely concerned with segregating white and colored voters by putting the Negro citizens out of the municipal limits so as to deprive them of their municipal vote."

Tuskegee Act Is Held Invalid

The Commercial

U.S. Court At Montgomery Rules Negroes Were Denied Rights

By United Press International

MONTGOMERY, Ala., Feb. 17.—Federal Judge Frank M. Johnson Jr., Friday declared a 1957 legislative act gerrymandering Negro voters from the Tuskegee city limits is unconstitutional.

Judge Johnson said the act was invalid because it deprived Negroes of their rights "secured and guaranteed by the 15th Amendment."

The judge issued in injunction permanently restraining the city from enforcing the act which excluded al but four or five qualified Negro voters from the Tuskegee city limits.

City Shape Changed

The suit was filed by a group of Negroes headed by C. G. Gomillion, chairman of the department of social science at Tuskegee Institute and president of the Tuskegee Civic Association, against the City of Tuskegee.

The complaint said that prior to the act, "the City of Tuskegee was square-shaped, containing approximately 5,397 Negroes, of whom about 400 were qualified as voters in the city . . . and approximately 1,310 white persons, of whom approximately 600 were and are presently qualified voters in said city."

The suit said "as the city limits were redrawn and redefined . . . the municipal limits of Tuskegee resembled a 'sea dragon' with 28 sides and with Negro neighborhoods eliminated; that no white persons but several thousand Negroes, all but four or five qualified voters, were excluded or removed from the municipal limits."

The Negroes claimed the act "deprives them and the class they represent in this action of the right to vote in municipal elections in the City of Tuskegee and denies them other rights incidental to their being residents of the city . . . solely on account of their race and color."

Judge Johnson also ordered all costs in the case be paid by the defendants.

In November, the United States Supreme Court ruled unanimously it is unlawful for a city to alter its boundaries in order to rid the city of Negro voters, and it ordered the Tuskegee case, originally dismissed by Judge Johnson on grounds the Federal courts had no jurisdiction over the Alabama Legislature, reopened.

The case was dismissed originally on petition of Tuskegee Mayor Phil M. Lightfoot.

'Essay In Geography'

Mayor Lightfoot since has been replaced by Howard Rutherford as mayor and Rutherford is named in the case ruled upon Friday.

The United States Court of Appeals, with one judge dissenting, affirmed the dismissal of the original suit.

The Negroes then appealed to the United States Supreme Court.

The Negroes claimed enforcement of the act constituted discrimination against them in violation of the due process and equal protection clauses of the constitution.

The court commented, "The inescapable human effect of this essay in geometry and geography is to despoil colored citizens, and only colored citizens, of their theretofore enjoyed voting rights."

The court added, "A constitutional power cannot be used by way of condition to attain an unconstitutional result."

The High Court's mandate also ordered that court costs of $538.32 for the appeal be taed against the City of Tuskegee.

The U. S. Court Looks At Tuskegee's Gerrymandering Map

Atlanta Daily World

The ruling on Friday by Judge Frank M. Johnson, that the city of Tuskegee violated federal law by gerrymandering the town's boundaries to exclude Negroes from voting, settles a question for the Tuskegee Negro voter.

The judge issued an injunction permanently restraining the city from enforcing the act which excluded all but 4 or 5 qualified Negro voters from Tuskegee city limits.

It is interesting to note that this was somewhat of a break with precedent in this case, in that the high court refused to interfere in the cases of state and local political boundary disputes on the grounds that "they led the federal courts into political thickets."

All nine of the justices agreed however, that Negroes in the Tuskegee area were entitled to be heard on their protest that the redrawing of the Tuskegee city boundaries was aimed at depriving all but a few of their constitutional voting rights.

It is highly gratifying that the court took cognizance of a case in which the denial of the right to vote was so flagrantly obvious that it finally declared: "When a state exercises power wholly within the domain of the state interest, it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right.

This should be an incentive to stir the interest of our people everywhere in the exercise of their franchise. It is seen from here that states are not immune from federal intervention when they plainly attempt such ruses as even gerrymandering a small city map in order to deny citizens the right to vote.

It might be recalled to the encouragement of others who might have to fight for their right to vote, to state that the whole South at one time claimed too much for states rights — the right to leave the Union!

Tuskegee — goes marching on.

Tuskegee Gerrymander Forbidden, Act Voided

MONTGOMERY, Ala., Feb. 17 (UPI)—U. S. District Judge Frank M. Johnson Jr. today ruled Alabama violated Federal law by gerrymandering Tuskegee boundaries to exclude Negroes from voting.

The judge said the 1957 Alabama legislative act that authorized the alteration of the city's boundaries "is unconstitutional and void in that said act deprives plaintiffs and other Negro citizens similarly situated of their rights secured and guaranteed by the Fifteenth Amendment."

The Judge issued an injunction permanently enjoining and restraining the city from enforcing the act which excluded all but four or five qualified Negro voters from the Tuskegee city limits.

[Last November, the Supreme Court ruled that if the charges made by Negroes who were fighting the act were true, the act was unconstitutional. It sent the case back to Judge Johnson to determine whether the Negroes' claim that the act excluded them from voting was true.

[The effect of Judge Johnson's ruling is to restore the boundaries of Tuskegee as they existed prior to the 1957 act.]

Boundries Redrawn

Until 1957 the boundries of Tuskegee formed a perfect square. In that year the Alabama Legislature redrew the boundries to form a twenty-eight sided figure resembling a sea dragon.

A group of Negro former residents sued in the Federal courts, contending that the Alabama statue was directed against Negroes, depriving them of voting rights and other civic benefits of city life. The lower courts dismissed the case, saying that the state had discretion to set a city's boundries.

Last November the United States Supreme Court ruled that a state may not change the boundries of a city if the effect is to virtually exclude from the city all Negroes. This ruling sent the case back to the lower Federal Courts and resulted in Judge Johnson's action.

U. S. COURT UPSETS A NEGRO VOTE BAN

The New York Times

Prohibits Alabama From Enforcing Law Resetting Tuskegee City Limits

Sat. 2-18-61

MONTGOMERY, Ala., Feb. 17 (AP)—A Federal judge today ruled unconstitutional a state law that virtually eliminated Negro voting in Tuskegee.

P. 17 C

United States Judge Frank M. Johnson Jr. also issued an order prohibiting Tuskegee City and Macon County officials from enforcing the 1957 legislative act that rearranged Tuskegee's city limits.

The judge ruled on a suit filed by C. G. Gomillion, president of the Tuskegee Civic Association, and twelve other Negroes contending that the state law discriminated against them because of race and color.

Ruled unconstitutional was a statue that redrew Tuskegee's municipal boundaries and left only four or five Negro voters inside the city limits. About 400 Negroes were registered to vote in city elections before the law was passed in 1957.

Tuskegee Limits Gerrymandering Voided By Judge

The Montgomery Advertiser P. 1

Sat. 2-18-61

4-Year-Old Montgomery State Law Held Invalid

By ARTHUR OSGOODE

A state law gerrymandering Tuskegee city limits so as to bar almost all Negro voters Friday was held to be unconstitutional by U.S. District Judge Frank M. Johnson Jr.

The four-year-old law had cut the number of Tuskegee Negro voters from 400 to less than a dozen, while excluding only two of 600 white voters from the city.

Johnson cited part of the U.S. Supreme Court decision that had remanded the case back to his court on the successful appeal by 12 Tuskegee Negroes.

He quoted a section which said that, if the allegations made by the Negroes were not contradicted, it was clearly demonstrated that "the legislation is solely concerned with segregating white and colored voters by fencing Negro citizens out of town . . "

DEPRIVED OF RIGHTS

Johnson found that such action deprived the Negro voters of their rights guaranteed under the Fifth Amendment to the U.S. Constitution.

When state officers exercise power "wholly within the domain of state interest," said Johnson, their actions are not subject to review by federal courts.

But, he continued, such action can not be taken if it violates a right guaranteed to citizens under the Consititution.

He therefore ruled the legislative act redrawing Tuskegee boundaries to be "unconstitutional and void . . " and enjoined Tuskegee city officials from enforcing it.

Defendants in the suit included Howard Rutherford, as mayor, and other city and county officials.

The Negro plaintiffs were C. G. Gomillion, Celia B. Chambers, Alma R. Craig, Frank H. Bentley, Willie D. Bentley, Kenneth L. Buford, William J. White, Augustus O. Young Jr., Nettie B. Jones, Betroit Lee, Della D. Sullins. and Lynwood T. Dorsey.

MARCH, 1961
U.S. JUDGE ORDERS NEGRO REGISTRATION
MACON COUNTY

Alabama County Ordered to End Any Negro-Vote Discrimination

The Washington Post
Washington, D.C.

By James E. Clayton
Staff Reporter

The Federal Government won an overwhelming victory yesterday in its efforts to get Negroes registered to vote.

It came in Montgomery, Ala., when Federal District Judge Frank L. Johnson ordered the Board of Registrars in nearby Macon County to stop discriminating against potential voters because they are Negroes.

Judge Johnson's order went far beyond any previously issued in any voting case. He told the Board to put 68 Negroes on the voting roles immediately, to register any Negro applicant who is as the least qualified white applicant who is accepted, and to stop using literacy tests in a discriminatory manner.

The Judge also set up requirements by which the Board must operate and instructed the Justice Department to assist in seeing that his orders are carried out.

The order, if it is sustained in higher courts on appeal, could set a pattern for orders in other voting cases. Its breadth is so great that it is obvious Judge Johnson was trying to plug all possible loopholes which might be used to keep Negroes from voting.

Macon County is the home of Tuskegee Institute and has about six times as many Negroes as white residents. Whites outvote Negroes about 4 to 1, however. The Civil Rights Commission and the Justice Department have contended that Negroes with college degrees have been turned down as voters while whites with no education have been accepted.

Justice Department moves into four Louisiana school desegregation cases.
Page A4.

Judge Johnson's lengthy order was issued after four days of trial in Opelika, Ala., early this month. During the trial, the Judge said, the Government proved that the Board or Registrars discriminated against Negroes in the following ways:

- By accepting whites applicants for precessing immediately and making Negroes wait.
- By assisting whites to register and denying assistance to Negroes.
- By giving long literacy tests to Negroes but short tests or none at all to whites.
- By disqualifying Neegroes for insignificant errors and qualifying whites regardless of errors.
- By failing to tell Negroes when their applications were either accepted or rejected.

Judge Johnson's order specifically told the Board to stop doing all these things. But it went beyond even what the Justice Department, which filed the case two years ago, had hoped.

Forced to Register All

Details of the order practically force the registrars to register all qualified Negroes. If they chose almost any other foreseeable course of action, they will be in contempt of court.

The language of the order is such that a Board member who resigns to make the Board inoperable so that Negroes cannot register will apparently be in contempt. This device was tried in Macon County two years ago.

The order also indicates that Judge Johnson has heard rumors that the Alabama Legislature may abolish the county to stop Negroes from voting. If that happens, he said, he expects the Justice Department to help him find out who else he must bring under his order to get qualified Negroes registered.

Macon told to register 64 Negro voters

The Birmingham News
Birmingham, Ala.

MONTGOMERY, Ala., March 17—(AP)—A federal judge today ordered 64 Negroes registered immediately as voters in Macon County, and said that in the future all other qualified Negroes must be allowed to vote.

U. S. District Judge Frank M. Johnson Jr. issued an injunction at the request of the Justice Department to prohibit any future discrimination against prospective Negroes in the county where members of that race outnumber white persons five to one.

Then he entered a mandatory decree requiring registration authorities to take certain steps to reduce a backlog of unprocessed applications from Negroes.

U. S. Judge Orders Negro Registration

The Post and Courier
Charleston, S. C.

MONTGOMERY, Aa. (AP) — Voter registrars in racially troubled Macon County Friday were handed a court order to register all qualified Negroes, along with a blueprint telling them how to go about it.

As the first step, U. S. Dist. Judge Frank M. Johnson Jr. directed registration authorities to put the names of 64 Negroes on the voting list immediately.

Next, the judge said a backlog of approximately 400 prospective Negro voters whose names are on a waiting list must be given priority and allowed to make formal application within 120 days.

After that, Johnson decreed, registrars will be under court order to treat all applicants alike, white and Negro, and to see that everyone who is qualified by law is given a chance to vote.

The judge refused to appoint a federal referee to handle applications from prospective voters as he could have done under the Civil Rights Act.

But he made it clear that he might take such a step later. He directed federal attorneys to submit the names of at least three prospective referees in the event he later finds it "necessary and appropriate" to appoint one.

Johnson's ruling came in response to a Justice Department petition for an injunction to prohibit discrimination against Negroes seeking to register.

It followed a four-day hearing in U. S. District Court at Opelika last month. Justice Department attorneys produced testimony at the hearing that Negroes with college degrees were turned down as voters while white applicants with little or no education were accepted.

In the future, Johnson said, registrars must refrain from discriminating in any manner. As a yardstick, he said all qualified Negroes must be registered if their answers to a uniform questionnaire are as good as those of "the least qualified white applicant."

GERRYMANDER ACT VOIDED

Tuskegee A Town Again

Journal and Guide

As U. S. Judge Acts

Hundreds Norfolk, Va. May Now Sat. 2-25-61 Vote Again

Alabama Forever Enjoined From Trying Same Scheme

MONTGOMERY, Ala.—(UPI) U. S. District Judge Frank [illegible] Jr. Friday ruled that Alabama violated federal law by gerrymandering Tuskegee boundaries to exclude Negroes from voting.

The effect of the ruling is to restore the boundaries of the town, home of famed Tuskegee institute, to the way they were situated prior to 1957.

The court's action also has the effect of returning the vote to the hundreds of colored citizens who were denied registration rights when they were 'gerrymander -ed' into Macon county.

THE JUDGE said the 1957 Alabama legislative act that authorized the alteration of the city's boundaries "is unconstitutional and void in that said act deprives plaintiffs and other Negro citizens similarly situated of their rights secured and guaranteed by the Fifteenth Amendment."

The judge issued an injunction permanently enjoining and restraining the city from enforcing the act which excluded all but four or five qualified Negro voters from the Tuskegee city limits.

LAST November, the United States Supreme Court ruled that if the charges made by Negroes who were fighting the act were true, the act was unconstitutional. It sent the case back to Judge Johnson to determine whether the claim that the act excluded colored residents from voting was true.

The town of Tuskegee was cut up into a "28 - sided monster" by the legislative action which scattered what had once been a powerful colored voting potential to the winds. The action was followed by a "selective patronage" campaign which saw many merchants favorable to the petitioning plan forced out of business.

The Proposed Tuskegee Colony

Pittsburgh Courier 1-14-61

In circulation is the report that a proposed legislative bill is being drawn to circumvent the recent ruling of the federal courts that racial municipal gerrymandering is unconstitutional. The suggested features of the rumored proposal would transform the City of Tuskegee from a dragon-shaped municipality — a city gerrymandered by boards named by the State Legislature.

In other words, Tuskegee would be made a territory of Alabama and a colony of the State Legislature. Two territories of the United States were recently made states. In early American days a Revolutionary War was fought to rid this nation of colonialism. There is a world freedom cry against colonization whether by democracy, communism or internal forces. Hence is both amusing and ridiculous to hear such reports about methods being discussed which are obviously designed to deprive citizens of a voting voice in a government under which they must live.

Such a move to reduce Tuskegee a colony of bureaucracy would seem to be a crude and clumsy effort to defy the federal courts and to make its decision in this instance worthless. Spite legislation is bad enough in itself but when proposed in seeming spirit of contempt of the court becomes shocking. It is possibly that those who make such a frightful proposal will not be allowed to get away with it.

In another look, the federal courts have done the proper thing in striking down the Tuskegee city-shrinkage law. Race and color are both illegal yardsticks for measuring the rights of a citizen in a democracy.

Act Cutting Down Negro Voters Violates U.S. Law

Richmond Va. Times-Dispatch Wed 2-22-61

MONTGOMERY, Ala. — U. S. District Judge Frank M. Johnson, Jr., ruled Friday the City of Tuskegee violated federal law by gerrymandering the town's boundaries to exclude Negroes from voting.

The judge issued an injunction permanently restraining the city from enforcing the act which excluded all but four or five qualified Negro voters from Tuskegee city limits.

The U. S. Supreme Court on last November 14 had unanimously directed the lower federal court to decide whether the city limits of Tuskegee were deliberately recarved to gerrymander Negroes out of their voting rights in the college community.

The ruling had been a break with precedent. In the past, the high court refrained from interference in the cases of state and local political boundary disputes on the grounds they led the federal courts into "political thickets."

All nine justices agreed, however, that Negroes in the Tuskegee area were entitled to be heard on their protest that the redrawing of the Tuskegee city boundaries was aimed at depriving all but a few of them of their constitutional voting rights.

In directing the Federal District Court at Montgomery, Ala., to hear the case, Associate Justice Felix Frankfurter declared:

"When a state exercises power wholly within the domain of state interest, it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right."

The Justice Department, siding with Tuskegee Negroes in the case, contended in 1957 that the Alabama law which allowed the redistricting of the city established a "racial ghetto."

The Negro plaintiffs said the new boundaries did not disturb the voting make-up of the white residents. The city, home of the famed Negro college, Tuskegee Institute, has 1,310 white residents of whom about 600 are voters.

Before the redistricting, Tuskegee numbered a Negro population of 5,307 with about 400 of their race voting. According to the suit, the Negro residential population was whittled to an estimate of 200 with only four or five eligible to vote. The excluded Negroes could vote in the county, but not in the city.

Tuskegee Rezoning Outlawed

By TREZZVANT ANDERSON

MONTGOMERY, Ala.—The 1957 Legislature-approved gerrymander bill which put some 5,400 Tuskegee Negroes outside the city limits died and was buried here when a Federal judge ruled it illegal.

The vicious bill, fathered by ex-State Senator Sam Englehardt, and which took over 400 registered voters off the list, was declared void and the city was ordered permanently to stop enforcing it.

• The act, which set off the still-in-prgrosess n o n-buying program of the lush Negro market in Tuskegee, had been under attack in the courts by Dr. C. G. Gomillion and 11 other Negroes for several years, after the Tuskegee Civic Association asked Federal intervention in 1957.

Under former Atty. General William Rogers, the Justice Department went all-out to help the Tuskegee Negroes.

THE RULING by Federal District Judge Frank M. Johnson Jr., with a nudge from the U. S. Supreme Court — came at a time when the TCA was busy preparing for another legal onslaught against the vote denials hurled at Tuskegee Negroes by White Citizens' Council biggie, Englehardt and Gov. John Patterson.

Another Federal trial was due at Opelika, where the Justice Department was in action against the Macon County Registration Board, which either resigned rather than meet and register Negroes or—as William P. Mitchell, TCA executive secretary, told The Courier—practice discrimination if the board would meet to keep Negroes from registering.

"If Judge Johnson's decision means what we think it does, we are very glad," Mr. Mitchell said, "but we have been so busy preparing for Opeika we haven't had time to assay the ruling."

The Englehardt bill stimulated one of the most effective boycotts yet seen.

Tuskegee Negro Voters Upheld

MONTGOMERY, Ala. — (UPI) — A four-year-old law which gerrymandered the city limits of Tuskegee into something resembling a sea dragon to keep Negroes from voting in city elections has been ruled unconstitutional by a federal court.

Federal District Judge Frank M. Johnson, jr., issued a permament injunction barring enforcement of the 1957 law in line with a recent U.S. Supreme court decision that no city has the right to alter its boundaries to rid itself of Negro voters. Johnson previously had ruled that his court lacked jurisdiction, but the Supreme court decision reinstated the suit.

The suit was filed by a group of Tuskegee Negroes headed by G. C. Gomillion, chairman of the Department of Social Science at Tuskegee Institute.

They said the city was once laid out in the shape of a square, but "as the city limits were redrawn and redefined ... the municipal limits of Tuskegee resemble a sea dragon with 28 sides and with Negro neighborhoods eliminated."

Before the city limits were changed, Tuskegee h- held 5,397 Negroes of whom about 400 were qualified voters, and 2,310 white residents of whom about 600 were qualified voters. The suit said all but four or five Negro voters were eliminated while all white voters stayed in the city limits.

Hampered In Try At Registration, Three Testify

OPELIKA, Ala. — Three Negores with college training testified they either were refused registration or had to take lengthy tests in appearances before the Macon County, Ala., board of voting registrars while whites with little schooling were registered at home. Testimony came during the first day of trial in federal court of charges the board and the state of Alabama systematically discriminated against prospective Negro voters.

There's joy in 'Skegee

TUSKEGEE, Ala. — Colored residents here are jubilant over the federal court decision last Friday that wiped out the 1957 act of the state legislature which excluded them from the city of Tuskegee. At the same time, they are waiting to see if state officials will appeal the ruling.

Federal Judge Frank M. Johnson Jr. said last Friday that the state law which stymied colored voters in Tuskegee and Macon County was unconstitutional. He issued an order prohibiting the city and county from enforcing the law.

The State Legislature adopted the law in 1957 when it redrew the boundaries of the city of Tuskegee from a perfect square to a 28-sided "gerrymander" that cut out all but four colored voters: "Included out" of the city were over 400 colored registrants.

* * *

LED BY C. G. Gomillion, Tuskegee Institute sociology professor who heads the Tuskegee Improvement Association, the twelve colored residents sued to invalidate the law. A local court refused the case.

Last year, the U.S. Supreme Court ruled that it is unconstitutional to redraw city boundaries if the effect is to disfranchise colored voters. It returned the case to Judge Johnson to determine if this was the case.

The ruling will have no immediate effect on local colored citizens. They were barred from city elections held last November and there will not be another until 1964. Those who are registered continued to vote in Macon County in state and county elections.

* * *

MR. GOMILLION ..estimated that some 2,000 colored Tuskegeeans are eligible to vote. A continuing campaign is being conducted to get them registered.

On Monday, Judge Johnson was scheduled to hear the suit of the Civil Rights Commission charging Macon County colored voters.

The CRC has 75 witnesses ready to testify that the registrars do not have the office open regularly and register only a few colored registrants a day when the office is open.

They say also that the colored registrants are given longer sections from the Constitution to write than whites are given and are penalized more heavily for minor errors.

'Skegee Boundary Division Ruled Unconstitutional

ATLANTA—(ANP) — Now that integration has moved along with considerable calm at the 175-year-old University of Georgia, five Negro high school seniors have begun steps to enter Georgia Tech.

The quintet last week fulfilled residency and character certification prior to registration.

Tuskegee case back on docket

U.S. DISTRICT JUDGE FRANK M. JOHNSON last week followed a mandate of the U.S. Supreme Court for reinstatement of the Tuskegee gerrymandering case. Judge Johnson's earlier ruling that the redrawing of the city's boundary lines so as to disfranchise its colored voters was overthrown by the high court. Lawyers have been given 20 days in which to file briefs.

JOHN PORTER, the Memphis lawyer, who represents white Fayette County, Tenn. landowners, believes he has a new legal gimmick to break the U.S. Court injunction barring the eviction of sharecroppers who dared register and vote. The law, he says, requires each sharecropper family to post a bond equalling a year's rent, an economic impossibility for the poverty - stricken farmers. The Justice Department, which filed the suit, however, is not required to post bond.

* * *

JUDGE QUINN GLOVER of Little Rock postponed until Feb. 9 the cases of six Philander Smith College students who were arrested during a sit down demonstration at a downtown Little Rock store on Nov. 30. The students are Ted Hines, 18; Lonnie McIntosh, 20; Billy Bowles, 18; Edward Green, 18; Myrabel Callaway, 18; Henry Daniels, 18, and Charles Parker, 22.

* * *

ARTHUR L. JOHNSON, executive secretary of the Detroit branch of the NAACP, and HAROLD NORRIS, president of the Detroit chapter of the American Civil Liberties Union, assailed a police "crackdown" in colored neighborhoods which was recently instituted in an effort to combat the city's rising crime incidence. Both contend that the practice of stopping persons for questioning has led to illegal search and seizures.

Officials Deny Gerrymander Responsibility

Tuskegee and Macon County officials say they can't be held accountable for gerrymandering almost all Negro voters out of Tuskegee city elections.

In an answer filed in U.S. District Court here, they contended that the gerrymandering act was the responsibility of the legislature.

The answer was in response to a suit reinstated by the U.S. Supreme Court after it had been thrown out by U.S. District Judge Frank M. Johnson Jr. and the 5th U.S. Circuit Court of Appeals.

FIX CITY LIMITS

Both Johnson and the appellate court held that the power of the legislature to fix city limits lay outside the authority of the courts.

But the Supreme Court disagreed, holding that an act that deprived Negroes of voting rights violated their constitutional guarantees. It ordered the case reopened in line with its decision.

The act, passed in 1957, left less than a dozen Negro voters inside the city limits of Tuskegee, while excluding close to 400. Two white voters were excluded.

ANSWER TO SUIT

Tuskegee Negroes are asking an injunction against enforcement of the gerrymandering act.

The Macon officials also said in the answer to the suit that three of the Negro complainants are not registered voters. The three were listed as Willie D. Bentley, Kenneth L. Buford, and Delia D. Sullivan.

Regarding the complaint, they said they "are without authority to speak for the State of Alabama" as to the motives behind the gerrymandering.

Members of the Legislature are not named in the suit, which is against only city and county officials.

Attorneys James J. Carter and T. B. Hill Jr. of Montgomery and Harry D. Raymon of Tuskegee also attacked as objectionable exhibits accompanying the Negroes' complaint.

These included a Time magazine article entitled "How to Deny a Vote" and based on the gerrymandering amendment. Another is an Advertiser article on the Macon gerrymandering bill introduced by Highway Director Sam Engelhardt.

Macon Case Will Reopen Next Monday

A revived suit, aimed at removing blocks to voter registration by Macon County Negroes, will begin Monday in Opelika.

The suit was begun two years ago. It was subsequently thrown out by U.S. District Judge Frank M. Johnson Jr. after the Macon County voter registrars all resigned.

The registrars, E. P. Livingston and Grady Rogers, had resigned before the filing of the suit. Johnson held there was no one left to sue. The State of Alabama, he ruled, could not be sued.

But the U.S. Supreme Court revived the suit after the passage of the 1960 Civil Rights Act, which allows states to be made defendants in civil rights cases.

REVEAL LISTS

Government lawyers said they estimate it will take three days to present their side of the case. State attorneys told Johnson their case may take two days.

Johnson ordered federal attorneys to reveal their list of witnesses to the staff of Atty. Gen. MacDonald Gallion.

He also ordered them to reveal what Macon voter records they plan to use in their case.

Negroes outnumber whites by roughly 6 to 1 in Macon county, home of famed Tuskegee Institute, a Negro college. White voters, however, outnumber Negroes, 2 to 1.

Another Macon County case, involving charges by Tuskegee Negroes that Negro voters had been gerrymandered out of the Tuskegee city limits, was also on the Opelika docket.

The case has been continued, however.

In this case, the complainants charge that the city limits of Tuskegee were redrawn so as to exclude virtually all Negro voters. Johnson had previously thrown out the complaint, but was overruled by the U.S. Supreme Court which remanded the case back to his court to be decided in accordance with their findings.

The court held that the action of the Legislature in redrawing the city limits, was aimed at depriving Negro citizens of their Constitutional right to vote.

Civil Rights Trial On Monday Docket

Registrars Are Charged With Denying Vote

MONTGOMERY, Ala., Feb. 16.—(UPI) —Trial is scheduled Monday in Opelika on a suit charging the Macon County voter registrars with denying registration to Negro applicants.

The suit, brought two years ago under the 1957 Civil Rights Act, was thrown out once when the county registrars resigned and United States District Judge Frank M. Johnson Jr. ruled there was no one left to be tried in the action.

Judge Johnson was upheld by the Fifth United States Circuit Court of Appeals, which ruled that under the 1957 Act the state could not be listed as a defendant.

The suit was restored, however, when the 1960 Civil Rights Act was passed making the state responsible for registration and the United States Supreme Court ordered the case heard on its merits.

The county, where Negroes outnumber whites by a ratio of 6-1, has a white voting majority of 2-1.

The Government will attempt to show from witnesses that officials have deliberately excluded Negroes from the voter roles, while the state will argue that Negro voter applicants have received the same treatment as whites.

Judge Gets 'Referees' List

Doors Open, Negroes Registering in Alabama

(Courier Press Service)

TUSKEGEE, Ala.—While William P. Mitchell, executive secretary of the Tuskegee Civic Association, complained that Macon County registrars were moving too slow, some 79 Negroes showed up at the local courthouse to register on the first regular meeting day of the Macon registrars since a Federal judge ordered them to register all qualified Negroes in the county.

Out of the 79 here, 34 completed their forms, four partially completed them, and 41 were given numbers to hold their places on a waiting list to be processed.

But there was a backlog of 385 Negro applicants whom Judge Frank M. Johnson Jr. of Montgomery had ordered the Macon registrars to give priority. Their names were on a waiting list but they had not been given a chance to apply formally.

IN UNION SPRINGS, county seat of Bullock County, also the target of an order by Judge Johnson, 41 Negroes applied for registration on the first Monday in April. The board processed 15 applications and registered five, equal to the total number of Negroes previously registered in the county's history.

Meanwhile, the U. S. Department of Justice, which has been busy knocking down the voting barriers against Negroes in the South, has furnished Judge Johnson with a list of 12 persons whom the department feels are qualified to serve as voting referees in Macon County, if the need should come, or the registrars fail to obey the court's orders satisfactorily.

The list was requested by Judge Johnson, who previously declined to name a voting referee for Macon County. He asked for only three names, but the Justice Department gave him 12. They all are from his own judicial district, as required by the new 1960 Civil Rights Act. Whites had opposed the referee provision of the Act because they said referees might be imported from outside areas.

In selecting potential referees the Justice Department used two yardsticks: one, that the person was not an ardent segregationist, and that he or she would be willing to serve.

Ala. Ordered To Stop Bias on Negro Voters

MONTGOMERY, Ala. — A federal judge Friday ruled that Alabama officials must stop discrimination against Negro voters.

Specifically, Federal Judge Frank M. Johnson ordered Macon County authorities to quit discriminating against prospective Negro voters.

He directed county registrars to place the names of 64 Negroes on the registration lists within the next 10 days and further directed the registrars to halt the practice of requiring prospective voters to write long sections of the United State Constitution.

A blow against discrimination was struck when Judge Johnson ordered an end to discrimination against Negro voter applicants.

Judge Johnson's anti-discrimination ruling is seen as a possible "mass exodus from Macon County of most whites," according to former Macon County Sen. Sam Englehardt.

A constitutional amendment introduced in the 1957 legislature and subsequently passed empowered the legislature to pass by a simple majority a bill abolishing the county and turning over its territories, citizens and properties to adjoining

counties.

Englehardt said he had the situation in mind when he introduced the bill to abolish the county, and felt sure the men on the study committee would "keep down unheard of troubles caused by this court decree."

Gov. John Patterson accused the Federal Judge of attempting to turn over political control of Alabama counties to Negroes.

Macon County Seeks Solution

Committee May Work For Enlargement Instead Of Abolition

By United Press International

MONTGOMERY, Ala., April 9. — A committee formed to abolish Macon County may recommend enlarging it instead, according to Tuskegee Lawyer D. Broward Segrest.

Mr. Segrest told the legislative council of Alabama the situation in Macon County is not as serious as some newspapers and politicians say.

He said there are about 21,000 Negroes out of a population of about 26,000 in the county. Of these, he said, however, many are ineligible to vote under state law.

"Let Us Work It Out"

"We have asked the legislative committee in Macon County to give us an opportunity to work out our own problems," Mr. Segrest said. He said one solution proposed would add about 6,000 white citizens, including 3,000 registered voters, by annexing an area of Tallapoosa County to Macon.

The other two speakers were Dr. Robert Strong, political science professor from the University of Alabama, and A. Frank Lee, commissioner of the state board of corrections.

National Problem

"Reapportionment is a nationwide problem," Dr. Strong said.

There is a tendency among legislators not to take the constitution seriously, Mr. Strong said.

"I think if you are going to take democracy seriously, you must work as hard as you can for reapportionment," Mr. Strong said.

He added that the constitution specifically calls for reapportionment at the first meeting of the legislature after the beginning of each new decade.

After court ruling—

Macon voter registrar quits

Ala. Registrar Quits In Huff

MONTGOMERY, Ala., March 22—(AP)—One of the three members of the Macon County Voter Registration Board has resigned in the wake of a federal court order to allow all qualified Negroes to register.

Cosby Johnson of Tuskegee Rt. 1 submitted his resignation to Gov. John Patterson yesterday without explanation. The letter was dated Monday and sent by registered mail.

Despite the departure of one member, the board can still function because Chairman Frank Smith and Sheeler Dyson are still serving as members. Under Alabama law two of the three members of a voter registration board can perform the duties of accepting and processing applications of prospective voters.

JOHNSON'S LETTER to the governor was brief. It said merely, "As of this date, I am submitting my resignation as registrar of Macon County, Ala."

Johnson vacated his office three days after U. S. Dist. Judge Frank M. Johnson Jr. in Montgomery handed down an order directing the Macon County Board to register 64 Negroes immediately as voters and in the future to accept the applications of all Negroes who meet the qualifications fixed by law.

Johnson, the registrar, was appointed Jan. 30 of this year along with Smith and Dyson.

THE GOVERNOR, protesting the federal court order last Friday as an unwarranted invasion of states rights, complained that it has been difficult to get registrars to serve and now it would be virtually impossible.

MONTGOMERY, Ala. — (UPI) — Macon County Registrar Cosby Johnson has resigned from the board, apparently because of a stern federal court directive ordering the board to end discrimination against Negroes.

Johnson's resignation leaves the board with two members—former Chairman Wheeler Dyson, a defendant in a recent civil rights suit, and Frank Smith, current board chairman.

The registrar gave no official reason for his resignation from the post.

A ruling Friday by U. S. Middle District Judge Frank M. Johnson, jr., directed Macon County authorities to quit discriminating against prospective Negro voters.

Macon County Negroes Not To Draw Color Line

TUSKEGEE, Ala.—(ANP)—Although Negroes ultimately may be elected to office in Macon County, a spokesman last week discounted the likelihood of a mass Negro vote solely for racial pride.

President Charles G. Gomillion of the Tuskegee Civic Association predicted that given the right to vote under a federal court order Negroes will support Negro candidates "only if they are qualified."

HIS COMMENT was prompted by last week's decision by U. S. Dist. Judge Frank M. Johnson Jr., ordering the registration of all qualified Negroes in the county.

"I do not believe Negroes would vote solidly for a Negro simply because he is a Negro," Dr. Gomillion added.

The Tuskegee Institute faculty member said that, in his opinion, Negro voters might choose to support white candidates for some offices.

Judge Hands Down Firm Decision

State's Plan To "Abolish" Sector Is Under Scrutiny

MONTGOMERY, Ala. — (UPI) — Federal Judge Frank M. Johnson Jr. Friday ordered Macon County authorities to stop discriminating against prospective Negro voters.

Macon, of which Tuskegee is the county seat, has six times as many colored residents as whites.

OTHER LEGAL action is aimed at a law which changed the Tuskegee city limits in order to exclude almost all Negro residents. The state is considering abolishment of the county and dividing it among neighboring counties.

The jurist also ordered the county registrars to place 64 Negroes on the registration list within 10 days.

JUDGE JOHNSON also ordered the registrars to quit requiring prospective voters to write long sections of the U. S. Constitution by limiting the reading - writing test to "50 consecutive words."

Judge Johnson said, "The evidence in this case is so abundantly clear in portraying the discriminatory acts and practices, which acts and practices clearly violate the Constitution and laws of the United States, that this court is of the firm opinion that this case warrants not only a prohibitory decree but a decree mandatory in nature."

New Setback Threatens Tuskegee Negro Voters

By THE ASSOCIATED PRESS

Tuskegee Negroes, hopeful of restored voting rights under a new federal court ruling, may suffer another setback at the hands of the Alabama Legislature.

A bill to keep Negroes from rising to political power in Tuskegee has been drafted for introduction in the legislature convening in May, the Associated Press learned.

The Tuskegee area is heavily populated with Negroes. The east-central Alabama city is the county seat of Macon County, where Negroes outnumber white residents nearly 6-1.

Under the local measure already prepared, Tuskegee's city government would be abolished and its major functions would be turned over to appointed boards handling water, lights, sewer, fire and police work.

Board members likely would be chosen by the legislature with approval of the governor.

Precedent for legislative appointment of local officials was set several years ago when former Rep. J. W. Brassell sponsored a bill for the lawmakers to name the judge of Russell County Juvenile Court.

Another possibility to prevent Tuskegee Negroes from gaining the political upperhand is still in the talking stage. It would create a separate city for the Negroes, using the legislature's power to charter new municipalities.

Word of the Tuskegee bill came one day after U.S. District Court in Montgomery branded as unconstitutional a state law which removed about 99 per cent of the Negro voters from Tuskegee poll lists.

Judge Frank M. Johnson Jr. also forbade city-county authorities against enforcing the 4-year-old statute which redrew Tuskegee's city limits and all but did away with Negro voting there.

The law passed by the 1957 Legislature rearranged the city's municipal boundaries and excluded Negro neighborhoods, leaving only four or five Negro voters inside. There were about 400 before.

Macon Case Will Reopen Next Monday

A revived suit, aimed at removing blocks to voter registration by Macon County Negroes, will begin Monday in Opelika.

The suit was begun two years ago. It was subsequently thrown out by U.S. District Judge Frank M. Johnson Jr. after the Macon County voter registrars all resigned.

The registrars, E. P. Livingston and Grady Rogers, had resigned before the filing of the suit. Johnson held there was no one left to sue. The State of Alabama, he ruled, could not be sued.

But the U.S. Supreme Court revived the suit after the passage of the 1960 Civil Rights Act, which allows states to be made defendants in civil rights cases.

REVEAL LISTS

Government lawyers said they estimate it will take three days to present their side of the case. State attorneys told Johnson their case may take two days.

Johnson ordered federal attorneys to reveal their list of witnesses to the staff of Atty. Gen. MacDonald Gallion.

He also ordered them to reveal what Macon voter records they plan to use in their case.

Negroes outnumber whites by roughly 6 to 1 in Macon county, home of famed Tuskegee Institute, a Negro college. White voters, however, outnumber Negroes, 2 to 1.

Another Macon County case, involving charges by Tuskegee Negroes that Negro voters had been gerrymandered out of the Tuskegee city limits, was also on he Opelika docket.

The case has been continued, however.

In this case, the complainants charge [illegible] limits of Tuskegee [illegible] so as to exclude virtually [illegible] Negro voters. Johnson [illegible] Robert Bachus [illegible] C." Grooverly thrown out those [illegible] but was overruled by the U.S. Supreme Court which remanded the case back to his court to be decided in accordance with their findings.

The court held that the action of the Legislature in redrawing the city limits, was aimed at depriving Negro citizens of their Constitutional right to vote.

Race Strife Stirs Macon

Macon County was established by an act of the legislature approved Dec. 18, 1832. It was named for Nathaniel Macon, a Revolutionary War soldier and a member of congress from North Carolina from 1791 to 1828.

Tuskegee, the county seat, was laid out in 1833 and was named after the Indian town, Taskigi, which was located in the triangle of Coosa and Tallapoosa rivers in Elmore County.

During the Indian wars, four forts were constructed by the federal government in Macon County — Fort Hull, Fort Decatur, Fort Bainbridge and Fort Defiance.

The county was the scene of one engagement during the Civil War, the Battle of Chehaw. Irregular Confederate troops were defeated there by Yankee raiders under the command of Gen. Lovell H. Rosseau.

RACIAL TROUBLES

In recent years, Macon County has been plagued by mounting racial problems and proposals have been made to abolish the county and distribute its lands to neighboring counties. Through the leadership of officials the Tuskegee Civil Association, a boycott has been effected against white merchants of the city and federal civil rights investigators have investigated complaints that Negroes have been unable to vote.

Negroes outnumber whites in the county about five to one. The county's 1960 population was 26,717, a decline of about 4,000 in the past decade.

Victorious Tuskegee Negroes Return To U.S. Court Today

By REX THOMAS

OPELIKA (AP) — Negroes, newly victorious in the Tuskegee gerrymandering battle, return to federal court Monday in hope of getting more voters registered throughout Macon County.

U.S. Dist Judge Frank M. Johnson Jr. will open a hearing on the Justice Department's suit for an injunction to prohibit state and county authorities from denying Negroes the right to vote because of their race.

The trial, expected to last most of the week, will produce testimony from Negroes who say they have been turned down as prospective voters solely because of their color. It was their complaints on which the suit was based.

State's attorneys, on the other hand, are expected to present testimony that white and Negro applicants are treated alike where Negro voting has long been a contentious issue.

Although Negroes outnumber white residents nearly 6-1, there are twice as many white voters as Negroes on the poll lists. Voter registration machinery was broken down repeatedly over the years because of the periodic absence of a functioning board to consider new applications.

The Justice Department has charged that registration authorities for many years have systematically discriminated against prospective Negro voters.

Similar injunctions, under the federal Civil Rights Act, have been issued in Terrell County, Ga., Washington Parish, La., Fayette County, Tenn., and Haywood County, Tenn.

The Macon County suit, filed two years ago, was at first thrown out of court by Johnson on the grounds that there was no one in against. One member of the registration board had died, the other two resigned; and Johnson ruled that the 1957 Civil Rights Act made no provision for taking action against the state or county.

Macon Voting Case Goes To Trial Monday

MONTGOMERY, Feb. 16 (AP)—Two years after the suit was filed, trial will start Monday at Opelika on Federal efforts to win voting rights for more Negroes in Macon County.

The long-delayed trial will go into the Justice Dept.'s charges that for many years registration authorities have systematically discriminated against Negroes because of their race.

Federal attorneys will try to persuade U. S. Dist. Judge Frank M. Johnson Jr. to issue an injunction prohibiting future discrimination.

The state, on the other hand, will produce testimony to support its contention that white and Negro prospective voters are treated alike.

Meanwhile, Johnson also agreed yesterday to hear Negro voting complaints from another county—Bullock. He refused to dismiss the suit there.

In the Bullock case, the government challenges the practice of requiring each prospective voter to have two voters vouch for him and of allowing no one to vouch for more than two applicants a year.

Because there is only a handful of registered Negro voters in Bullock County, the Justice Dept. claims the system restricts the number of new Negro voters, since whites are reluctant to vouch for them.

Equal Treatment Claimed

In his reply to the complaint, Alabama Atty. Gen. MacDonald Gallion said white and Negro applicants are treated alike under the voucher practice. He also argued that the system was upheld in a previous Federal Court decision.

The Bullock ruling came while opposing counsel were meeting in Johnson's office to discuss that case and the Macon County suit. U. S. lawyers led by John Doar of the Justice Dept.'s civil rights division estimated it will take three days to present their testimony in the Macon trial.

State attorneys told the judge that their witnesses may take another two days.

The state won two points. Johnson ordered Federal attorneys to show Gallion's staff the list of Federal witnesses and tell the state lawyers what Macon voter records they plan to use in their case.

The suit seeks to get Negroes registered in the county where members of that race outnumber white residents nearly 6-1. But despite the population ratio, white voters have a 2-1 majority over Negroes at the polls.

Complaint Thrown Out

Johnson once threw the complaint out of court because the last two remaining registrars, E. P. Livingston and State Rep. Grady Rogers, had resigned shortly before it was filed.

Their resignation left no one to sue, the judge ruled, because the 1957 Federal civil rights act under which the suit was filed did not provide for bringing the state of Alabama in as a defendant. The Fifth U. S. Circuit Court of Appeals upheld him.

When the civil rights statute was revised last year to make the states responsible for voter registration, the U. S. Supreme Court ordered the Macon County complaint restored to the docket and heard on its merits.

The heavily Negro-populated county in east-central Alabama, meanwhile, went without voter registration machinery for nearly 18 months until two board members, Wheeler Dyson and Charles

FEDERAL VOTE SUIT IS BEGUN

OPELIKA Ala (UPI) — Trial opened in federal court here today on charges of racial discrimination against the Macon County board of voter registrars.

The suit, in which the U. S. Justice Department civil rights division contends Negroes were denied illegally the right to vote, was brought originally under the 1957 Civil Rights Act two years ago. It was thrown out once when the county board of registrars resigned. U.S. District Judge Frank M. Johnson Jr. ruled at that time there was no one left to be tried in the nation.

Johnson was upheld by the 5th Circuit Court of Appeals which ruled that under the 1957 act, the state could not be listed as a defendant.

The complaint was restored, however, when the 1960 Civil Rights Act enabled the division to name states in their suits as responsible for registration and when the U.S. Supreme court ordered the case replaced on the docket and heard on its merits.

The government will attempt to prove the registrars have deliberately excluded Negroes from the voting rolls in the county. The state is expected to argue that Negroes and whites receive the same treatment and there is no discrimination.

Negroes outnumber whites by a ratio of 6-1 in the county, but there is a 2-1 white voting majority.

Justice Department forces in the hearing will be headed by John Doar, and Atty. Gen. Mac Donald Gallion will supervise presentation of the state's case. Estimates are the hearing will run five days on testimony alone.

The action names the state and Wheeler Dyson and Charles Donald Scott as defendants. The two men resigned in January for undisclosed reasons, but Dyson, a former chairman of the board, recently accepted reappointment to a new slate of members. The other two incumbent registrars are Frank Smith and Cosby Johnson.

If injunction granted—

Macon may face decision: Register Negro voters or else

BY AL STANTON
News staff writer

MONTGOMERY, Ala., Feb. 24—Langley Negro-populated Macon County may soon have to face this federal directive:

Register more Negroes to vote or suffer federal voter referees taking over registration machinery there.

U. S. District Judge Frank M. Johnson Jr., who heard 3½ days of testimony in a government civil rights suit in Opelika, has under consideration the government's request for an injunction to ban discriminatory registration practices.

Judge Johnson told newsmen that if he does grant the request for an injunction federal voter referees probably wouldn't be called in until the injunction is violated.

Alleged violations of any such injunction would have to be heard by the federal judge.

AT THE CLOSE of the testimony-packed trial yesterday, Judge Johnson asked lawyers on both sides to file written briefs of their arguments by March 13.

It became apparent during the trial that Johnson was convinced that a slow-down in registration procedure had effectively kept many Negroes from being registered to vote in the Black Belt county.

After the government had built up the massive case—the result of exhaustive study of voter registration records—Johnson said he was still keeping an open mind.

But he warned state's attorneys he thought the government had compiled "a tremendous amount of evidence" to support its contention that Macon Negroes were victims of systematic discrimination.

Asst. Atty. Gen. Gordon Madison said today he felt the state had countered every government contention with witnesses and exhibits.

Madison conducted the state's case, assisted by Asst. Atty. Gen. Willard Livingston, Asst. Leslie Hall and the governor's legal adviser, Robert Bradley.

Atty. Gen. MacDonald Gallion sat in on some of the trial.

THE GOVERNMENT called about 35 witnesses and introduced stacks of photostatic copies of voter records.

Some of the main government contentions were that educated Negroes were rejected while whites who could not read or write were registered to vote and that Negroes were the main victims of a slow-down in the registration procedure and were required to copy lengthly protions of the U. S. Constitution while many whites were not required to do so.

Testifying for the state, present and former Macon registrars insisted there was no discrimination; that when sections of the Constitution were required to be copied both whites and Negroes had to do so, and that Negroes who had not made errors on their questionnaire forms were registered to vote.

State witnesses were Board Members Wheeler Dyson and Cosby Johnson and former Members Grady Rogers and E. P. Livingston.

In Montgomery—

Two committees meet after Tuskegee ruling

MONTGOMERY, Ala., Feb. 24—(AP)—A pair of legislative committees charged with studying racial problems conducted closed sessions, jointly and separately, yesterday.

The meeting came on the heels of a federal court decision knocking out legislation which rearranged the Tuskegee city limits to exclude most Negro voters.

Gov. John Patterson and Highway Director Sam Engelhardt, former state senator from Macon County, were among those known to have appeared before the joint meeting of the coordinating committee, headed by Rep. Sim A. Thomas of Barbour County, and the Macon County Study Committee, with Sen. L. K. Andrews of Bullock County as chairman.

The coordinating committee was formed to screen bills relating to voter registration, the public school system, police powers of the state, counties and cities, and related matters.

Andrews' committee is charged with studying conditions in Macon County and recommending "legislation needed to meet any changing conditions or emergencies" that may arise there.

The Proposed Tuskegee Colony

In circulation is the report that over in Alabama a bill is being drawn to circumvent the recent ruling of the federal courts that racial municipal gerrymandering is unconstitutional. The suggested features of the rumored proposal would transform the City of Tuskegee from a dragon-shaped municipality — a city governmented by boards named by the State Legislature.

In other words, Tuskegee would be made a territory of Alabama and a colony of the State Legislature. Two territories of the United States were recently made states. In early American days a Revolutionary War was fought to rid this nation of colonialism. There is a world freedom cry against colonization whether by democracy, communism or internal forces. Hence it si both amusing and ridiculous to hear such reports about methods being discussed which are obviously designed to deprive citizens of a voting voice in a government under which they must live.

Such a move to reduce Tuskegee to a colony of bureaucracy would seem to be a crude and clumsy effort to defy the federal courts and to make its decision in this instance worthless. Spite legislation is bad enough in itself but when proposed in seeming spirit of contempt of the court becomes shocking. It is possibly that those who make such a frightful proposal will not be allowed to get away with it.

In another look, the federal courts have done the proper thing in striking down the Tuskegee city-shrinkage law. Race and color are both illegal yardsticks for measuring the rights of a citizen in a democracy.

Spring Coming? . . . Airplane Stew . . . Macon . . . Boycott

ON THAT ONE October-blue day we had twixt the rains last week somebody muck away from the office early in the afternoon and sat himself down in the sun on a terrace and thought deeply about nothing.

But after the drenching, the plants and bushes commanded attention. Budding-out is well advanced.

This could mean Spring is here—but who among us would dare conclude we won't have more quite cold weather? Especially with a 27 low predicted. The old groundhog saw his shadow according to every newspaper story we read, and the groundhog can't be wrong. If ever he is, then all of Grandpap's theories might come under suspicion. Any such development would be un-American.

The Churchmen Are Wrong

SPEAKING OF un-American. . . . The National Council of Churches' general board in session last week witnessed a showing of the so-called controversial film "Operation Abolition."

The board afterward concluded it was desirable to send an "advisory" out across the land to the effect that the film was not objective in depiction of the riots in San Francisco participated in by college students and aimed at the House un-American activities committee.

The committee was in the California metropolis for hearings on Communist activity there.

Well in advance, known Commies were in the city to drum up a protest movement. Interviewed by a newsman, one of the Reds plainly stated that it was policy to send an advance man or men into any city where there was to be an un-American activities committee hearing. The idea, he said, was that people there might resent the committee but not know how properly to go about the business of organizing a protest movement.

This is a diabolic business. This writer has seen the film in question. It is hard-hitting. The film does not accuse the students generally of being Reds. It does state flatly that they were used by known Reds and other left-wingers who were clearly identifiable in the film, and whose records have been published by the House group.

The churchmen are wrong as—to use a contemporary term—rain in their advisory. The film represents a service to hard-headed realism, which we need more of these days. . . .

Speaking Of Films . . .

WITNESSED ON TV one night last week was an NBC documentary on the African nations. It was a professionally-done job, with much of fact offered.

But from our living room chair, the movie seemed lopsided in final effect. Benefit of any doubts went to the African peoples and their sometimes opportunistic rulers. It seemed that in much of what was said and shown there was an inherent criticism of American policy toward Africa — whereas we couldn't figure out what this country had done wrong.

Further, the film was woefully weak on emphasis on the Soviet Union and its intentions and actions with respect to Africa.

The Airline Tie-Up . . .

SECRETARY GOLDBERG deserved commendation for his hard work at settling the airplane engineers' dispute—at least temporarily. But not to be overlooked is a point very solidly made by Columnist David Lawrence on this page. He pointed out in good logic that the federal government through the mediation board was, quite literally, telling the engineers what union they must belong to. Lawrence construed this as an intrusion into the engineers' freedom of choice. Here we can find no argument with the Lawrence conclusion—wasteful as the strike was, wrong as the engineers were in defying government orders.

FEDERAL JUDGE Frank M. Johnson, Jr., held court in Opelika and listened once more to the dreary story of voter registration in Macon County. The arguments all were well known, had been since the Civil Rights Commission first served them up.

The evidence is strong that there was discrimination in such registration. This just won't stand up in court, whenever it is practiced. Qualified Negroes are going to have to be given the vote. What's still needed by the state are tighter registration qualifications for everybody, both races. The Legislature ought to get at this promptly on convening.

And Up In Louisville . . .

IN LOUISVILLE, Ky., a Negro leader began a campaign to encourage Negroes to stay out of the stores and do no Easter shopping. This doubtless will be approved in the East by the same people who cry shame over whites in Fayette and Haywood Counties, Tenn., using the boycott weapon against Negroes. The boycott is a two-edged sword—but the reformists would have it cutting sharp on only one edge.—E. L. H., JR.

Dateline: Tuskegee—

Gerrymander is answered with boycott

Stiffening racial attitudes in Macon County are best illustrated by the attempted gerrymander of the county seat, Tuskegee, deurbanizing all Negro citizens, and the retaliatory boycott of Tuskegee white merchants by the Negroes. Yesterday, in the 10th of a series of articles on the racial situation in Macon County, the gerrymander, and the treatment at the hands of the U. S. Supreme Court, was described. Today, News staff writer James E. Jacobson discusses the boycott.

BY JAMES E. JACOBSON, News staff writer

It is not uncommon today to see Negroes shopping in the Tuskegee business section.

That is in contrast to four years ago, when Tuskegee's retail merchandising economy was brought to a state of near paralysis by a boycott imposed by the Negro residents of Macon County.

Of the county's 27,000 residents, 22,000 are Negroes. By far the greater segment of the Tuskegee shopping dollar came from Negro sources, bolstered considerably by the faculty and students of Tuskegee Institute and the payroll of the U. S. Veterans Hospital, whose staff and patient load is largely Negro.

Boycott follows gerrymander

WITHDRAWAL OF THE NEGRO buying power from the Tuskegee retail economy brought a large part of the Tuskegee business community to a state of near disaster.

Scant days after the 1957 gerrymandering act passed the Alabama Legislature without dissent, the streets of Tuskegee—where there were seven Negroes for evrey three whites—were virtually empty of Negro shoppers.



JACOBSON

Negro spokesmen avoided the use of the word "boycott." They preferred to classify the withdrawal of trade from downtown merchants a "protest of an injustice."

Whites said that it was a boycott, plain and simple; and, further, that it was the work of the Tuskegee Civic Assn., the organization which has led the Negro fight for voting rights.

Dr. C. G. Gomillion, dean of students at Tuskegee Institute and president of the TCA, said then that the group had not forbidden any member to deposit or invest with, borrow or buy from any persons or firm with which he wishes to do business."

He said he had urged members of the TCA and "other interested citizens" to "observe the law, to refrain from making threats, to refrain from intimidating anyone, and from attempting to force anyone to do anything."

Nonetheless, reports persisted that individual Negroes were being threatened or intimidated by other Negroes in order to force them to cease trading with whites.

Th stat of Alabama ntrd th cas in th prsons of thn-Atty. Gn. John Pattrson and Asst. Atty. Gn. MacDonald Gallion. Gallion handld most of th invstigation, but Pattrson prsonally ld raids on th TCA offics and a printing shop to siz rcords of th organization. In August, 1957, Circuit Judg Will O. Walton issud a tmporary injunction against th TCA and othrs ordring thm not to us forc or intimidation to carry out a boycott.

Judge Walton in September refused a Negro request that the injunction be dissolved. Hearings on a sttae requqest for a permanent injunction were held the next January, however, and Judge Walton subsequently dissolved the injunction after ruling that Patterson had failed to prove the state's charges against the TCA.

Boycott still in progress

THE BOYCOTT is still in progress, although it is presently not as effective as at the beginning. Apparently it is principally Negroes outside the Tuskegee Institute community, where the TCA influence is strongest, who have resumed trading downtown, although some from the school do so.

Still, the boycott has had its effects. Twelve white firms reportedly have gone out of business since it began, and during the same period there has been a corresponding growth in Negro firms, both new ones and expansion of old ones.

One of the new Negro businesses, a supermarket, was financed by business interests of A. G. Gaston of Birmingham, who told Negroes shortly after the boycott began that "we are all behind you in this struggle for decency and economic freedom."

Gaston, who is one of the trustees of Tuskegee Institute, said in a recent interview that the financing of the Negro business was "entirely an economic matter" which the school itself "didn't encourage or discourage."

Some firms go out of business

WHILE 12 WHITE FIRMS HAVE gone out of business, many whites contend that this was not due entirely to the boycott. They cite the fact that there was a general economic recession, that there have been too many to begin with and business is now evently distributed, and that some of the companies may have closed anyway.

During the same period that some were going out of business, at least two new firms have opened in the downtown area both apparently with some success.

Business in downtown Tuskegee isn't what could be called brisk, generally speaking, but neither is it non-existent. At certain times it reaches higher peaks, even though not as great as the market area potential should stimulate.

Dr. Gomillion says of the boycott at present, "I don't think the boycott is effective. Some Negroes have resumed trading downtown. I don't know how many. Some persons at both the hospital and the Institute have returned. Some never stopped."

He still denies that the TCA sponsors the boycott. He says that the major goal of the TCA is education and encouragement to Negroes to "analyze and interpret relationships. It leaves to its friends and followers the right to make their own decisions."

Student spirit said strong

WILLIAM P. MITCHELL, the TCA's executive secretary, reiterated Dr. Gomillion's point. "We have never encouraged Negroes to withhold trade from the town of Tuskegee," he said. "The Tuskegee Civic Assn. has never officially or unofficially done that. We have encouraged them to act on the basis of their intelligence and knowledge."

Vincent McDonald, editor of the Tuskegee Institute student newspaper, said that "students staying away from town is just a matter of support of the Tuskegee Civic Assn. This has been going on so long, most students have just accepted it. They never got used to going to town. They accepted things as they found them."

Most of the students have entered Tuskegee during the four years since the boycott began.

Tyree Parker, president of the student governing council, said that "the boycott places students at a disadvantage in buying commodities," but that "as a whole it hasn't affected student spirit. It has made the student group more cohesive."

A similar opinion was expressed as to the entire Negro community by a Negro minister, the Rev. E. O. Braxter, at the boycott's beginning, when he said, "Lincoln freed us; Booker T. Washington educated us; Sam Engelhardt put us together."

Whites generally admit that the boycott has hurt business. There is still noticeable some resentment of the Negroes action, although one store owner, who said that "there's not a business in town that isn't having to fight hard to make expenses," conceded that "I don't much blame them (the Negroes)" for boycotting.

"The people of Tuskegee have come to realize what Negroes mean to the economy," a lawyer said. "We learned a sad lesson the hard way, that we need Negro business. It's true that the richest people in Macon County are white, but it's not the rich people who spend money and keep the economy going."

Some say King was the inspiration

ANOTHER TUSKEEGEAN SAID that "they say that the Negroes' civil rights are being tampered with. What about the rights of the white man? The boycott is illegal. The first ones to come back were those wanting to do credit business. I know for a fact that at first they were afraid to come in."

Some whites still believe that the Rev. Martin Luther King, then of Montgomery where he led the bus boycott, was the inspiration if not the stimulation for the Tuskegee boycott.

Rev. King, at a mass meeting shortly after the boycott began—a meeting which was also addressed by the Rev. Ralph D. Abernathy of Montgomery and the Rev. F. L. Shutflesworth of Birmingham—told an overflow crowd of Negroes that "you are not seeking to put stores downtown out of business, but seeking to put justice into business."

Basic issues still issues

LEWIS W. JONES, a sociology professor at the Institute, in a 1958 speech said that "Negroes in Tuskegee were not deceived from the very beginning of (the) gerrymandering machinations. Under the leadership of the Tuskegee Civic Assn. Negroes resolved to withhold their trade from those businessmen in Tuskege who condoned the gerrymander if they did not share reponsibility for it. At first some merchants laughed and sneered at 'the boycott,' confidently predicting it would be of short duration. As the weeks passed into months they wailed and cursed these arrogant, cruel Negroes who were destroying their businesses."

He added that "it is a quirk of the human mental processes to attribute to others one's own guilt."

Four years after its inception, the boycott is still functioning, though not as effectively as at first. Negroes are still pushing for freer voter registration, and through federal court intervention more are now being registered than before. The past four years have seen no final solution to the problems facing Macon County. The basic issues are still issues, and developments are still building toward some sort of climax.

"I don't say all whites favored the gerrymander," Gomillion observed, "but as far as I know none spoke out against it. They were either intimidated or they were relatively indifferent. I am inclined to think they were intimidated. It's hard for me to believe that not one single white person didn't think that (the gerrymander) was a democratic or fair thing to do. If so, there's not much chance for improvement."

Professor takes exception

ANOTHER FACULTY MEMBER, Dr. James H. M. Henderson, head of the department of biology and research associate in the George Washington Carver Foundation, and a life-member of the

TCA, also took exception to those who claim that the white residents of Tuskegee instigated the action themselves and asked the Legislature to gerrymander the city. "They all say, 'We're innocent,'" he said.

He cited as evidence an article in The Tuskegee News, a local weekly, to the effect that the mayor and city council denied knowledge of the reported bills.

Lewis W. Jones, a professor of sociology at the Institute, now on sabbatical leave, took a different view in a January, 1958, speech.

"The number of Negro voters slowly increased despite the obstacles Negro citizens had to surmount in order to secure the ballot," he said. "So, the small governing clique in Tuskegee did with malice conspire to destroy a town. A survey was made of the town and its boundaries redrawn so as to eliminate the Negro registered voters. The power-desperate clique did not trust the voters to decide in an orderly referendum whether to make this change or not.

"They had their representative in the state Senate introduce a bill in the Legislature under the local bill courtesy convention and secure its passage. Then with a transparent dishonesty the Tuskegee power group disavowed their masterpiece of chicanery. Lying as only old liars can they placed all the blame on Mr. Engelhardt, stoutly insisting that he single-handed and alone did this thing. They however stood condemned by their refusal to discuss the matter or to speak out against it. Finally, their responsibility was demonstrated when the petition to the City Council to restore the old city limits was rejected unanimously without discussion."

Court upholds decision

U. S. DISTRICT JUDGE FRANK M. JOHNSON of Montgomery originally refused to invalidate the act on the basis that definition of city limits was wholly a state power and not subject to the jurisdiction of federal courts. The U. S. Fifth Circuit Court of Appeals in New Orleans upheld his decision.

In March of last year, however, the U. S. Supreme Court agreed to rule on the case, and in November the high court ruled unanimously that federal courts could hear arguments on it. The court directed the District Court in Montgomery to take evidence and determine whether the Alabama Legislature violated U. S. constitutional guarantees when it altered Tuskegee's city lines.

"When a state exercises power wholly within the domain of state interest," Justice Felix Frankfurter wrote for the court, "it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right."

The mandate to the lower court was clear. After extended study, on Feb. 17, Judge Johnson ruled that the gerrymandering act was a violation of the constitutional rights of the Negroes who were thereby excluded from the city. He issued an order prohibiting Tuskegee and Macon County from enforcing the redrawn boundary.

The deadline for filing an appeal of the decision passed on March 17. With its passing, the city limits reverted permanently to their old location.

The big question

ONE WHITE TUSKEGEEAN called the gerrymander "ill-advised and premature."

Another expressed the opinion that if a straight line had been drawn cutting off the western part of the city—where Tuskegee Institute, the Veterans Hospital and much of the Negro population are located—it might have had a better chance of standing a court test. He said that even if such an act had affected a few white voters, if would have been more defensible than an elaborately-surveyed, rambling line which isolated specific Negro sections.

What now?

That's the big question, and there are at least a dozen answers with no agreement on any of them.

After the Supreme Court decision that the case could be heard in Federal Court, Rep. Grady Rogers of Macon commented that that decision "may have some bearing on future action in the Legislature."

"It doesn't look like we've got any state's rights left," he added.

Whether "we've got any" or not, it's a good bet that the Legislature will try to find out. The Macon County Study Committee has been holding hearings to determine possible courses of action, and the subject is discussed frequently in Tuskegee and Macon County themselves.

Thoughtful approach wanted

WILLIAM P. MITCHELL, a VA Hospital employe and executive secretary of the TCA, said that "prospects are that some new measure may be passed. I wouldn't venture a guess on whether any of the various proposals would be constitutional . . . But we're getting ahead of ourselves. We'd have to await any arrangement by the Legislature before we decided whether or not to appeal. But we will always attempt to rectify injustices. If we considered an act an injustice, we certainly would move in the same manner as before."

Just what the action will be is anybody's guess, but most whites in Tuskegee want a more cautious, thoughtful approach than has been followed so far.

"I'm of the opinion," a lawyer said, "that although the Supreme Court may be wrong, they're trying to reach verdicts consistent with their interpretation of the Constitution. It's just a new day as far as constitutional interpretation goes. We can't rely on precedents of 100 years ago or even 40 years ago. We must decide what the Supreme Court might decide in light of its most recent decisions."

That's the problem facing Macon County today. Whites are pondering possible steps to retain political control of a city and a county in which they are vastly outnumbered. Negroes are determined to continue their drive for voting rights.

If the story begins in Macon, its end is nowhere in sight.

Dateline Tuskegee

Birmingham News Sun 4-11-61 P 1

Redrawn, city lines form 'engeldragon'

Birmingham, Ala

In June, 1957, the Alabama Legislature passed a bill which redrew the city limits of Tuskegee in such a manner as to exclude all but a few of that town's registered Negro voters. That law has now been declared unconstitutional and the city limits have reverted to their old location. The story of the gerrymander and subsequent developments is told in this article, the 10th in a series.

BY JAMES E. JACOBSON, News staff writer

A gerrymander, the dictionary says, is "an arbitrary arrangement of the political divisions of a state, county, etc., made so as to give one party an unfair advantage in elections."

The term was derived by combining the name of the governor of Massechusetts (Gerry) who redisticted that state in 1812, plus sala (mander) from a fancied resemblance of the map of Essex County to that animal after the redictricting.

What Tuskegee needed, some believed, was not protection of Democrats from the GOP at the polls, but protection of another sort. At the time the town's limits were redrawn in June, 1957, Tuskegee had a population of about 6700, a little more than 1300 of whom were white.

On the voter rolls, however, whites outnumbered Negroes by an estimated 600-420. Negroes, many of them college-educated faculty members at Tuskegee Institute or technicians at the VA Hospital, were increasing pressure for easier registration for members of their race.

Bill welcomes law

In response, the Alabama Legislature in June, 1957, approved a bill introduced by State Sen. Sam Engelhardt of Macon—now the state highway director and chairman of the State Democratic Executive Committee, and former executive secretary of the Citizens' Council—which altered the shape of the city limits from a square to an irregular, 28-sided figure which some immediately likened in appearance to a sea dragon. The bill became law without the signature of then Gov. James E. Folsom.



JACOBSON

After the new city limits were drawn, all but a few—estimates varied from 4 to 10—of the registered Negro voters in Tuskegee found themselves no longer living in the town and thus ineligible to participate in municipal elections. No white voter or resident was affected.

Hence, with the distinction thus made from traditional politically partisan to racial gerrymandering, the attempt to preserve the Tuskegee status quo might be more appropriately labeled an "engeldragon" than a "gerrymander."

Whatever you call it, it stirred things up.

Attitudes are changing

"SAM ENGELHARDT started this mess," one Tuskegee businessman said. "I think it was in good faith. I think he honestly feels there is no solution, that we're bound to have Negroes taking over control of the county. I don't think this follows at all. Attitudes are changing."

"The people of Tuskegee," a city official commented, "didn't know anything about the gerrymander until it was thrown into the legislative hopper."

After a petition asking restoration of the old city limits, signed by more than 700 Negroes, was rejected by the City Council, 12 Negroes affected by the act took their case to the courts. Leading the fight was C. G. Gomillion, chairman of the division of social sciences at Tuskegee Institute and president of the Tuskegee Civic Assn.

Discriminatory Practices Denied By Macon Registrar

OPELIKA (AP) — A member of the Macon County Voter Registration Board denied emphatically Tuesday that he has knowingly discriminated against Negroes.

"When they come in that office," board member Wheeler Dyson told a judge in federal court, "they all look alike to me."

Dyson is one of the defendants in a Justice Department suit, now on trial, which seeks a court order to prohibit future racial discrimination in Macon County voting.

The trial was recessed late Tuesday afternoon, to enter it's third day at 9 a.m. (CST) Wednesday. Federal attorneys are expected to complete their presentation and the state to open its defense Wednesday morning.

Despite his insistent denial of any discriminatory practice, Dyson told U.S. Dist. Judge Frank M. Johnson Jr. that he knew of no real reason "except custom" for requiring prospective voters to copy lengthy passages from the U.S. Constitution in longhand.

And federal attorneys brought out through questioning Dyson that the Board of Registrars which functioned most of last year spent only five days taking applications in the biggest precinct in the county and 10 days visiting in rural areas.

The country's largest precinct —and the source of the most persistent demand for Negro registration—is located at the courthouse. Although the board met there only on June 20, July 18, Aug. 15, Oct. 17 and Dec.19, Dyson admitted that three days in a row were spent accepting applications in one rural precinct.

Judge Johnson questioned the registrar extensively about the requirement for writing portions of the federal Constitution in longhand. The Negroes contained that only members of their race were subjected to that for many years, but since Dyson has been on the registration board, both white and Negro applicants have had to do the writing.

Dyson said the copying of portions of the Constitution helped registrars to determine whether a prospective voter is qualified. The written portion of the test sometimes covered as much as eight pages in longhand.

Later, in explaining why one white woman was excused from the writing, Dyson said he was convinced of her ability after she had completed only two paragraphs.

During the questioning of the registrar, federal attorneys showed that a growing backlog of unreceived applications from Negroes accumulated at the courthouse during the time the board last year was spending most of its time in rural areas.

The Justice Department is trying to show that the board members, the first to serve after the present suit was filed in court two years ago, deliberately put the brakes on registration to cut down on the number of Negro voters.

NEVER CALLED

Among the Negroes who testified that they were given numbers and required to wait until they were called — and sometimes never called—was Prof. Daniel Webster Wynn of Tuskegee Institute, who said he has four college degrees including a Ph.D.

Wynn said he was turned down in 1957 and applied again last year, but his number was never called. Federal attorneys produced testimony from other witnesses that only about five applications were accepted from the long waiting list each month.

State's attorneys pointed out that in 1957, when Wynn was turned down, his questionnaire showed he had been a resident of Alabama only a month before he applied, while Alabama law required two years. But the witness explained he thought the question meant the period of residence beginning after he had been in Alabama two years.

Alabama Vote Law Ruled Illegal

By the Associated Press

Montgomery, Ala.

A state law which took about 99 per cent of the Negro voters off the poll list at Tuskegee has been ruled unconstitutional in federal court.

United States District Judge Frank M. Johnson, Jr., also has prohibited enforcement of the four-year-old statute which rearranged Tuskegee's city limits and virtually abolished Negro voting there.

Judge Johnson, acting on a suit filed by 12 Tuskegee Negroes, decreed that the 1957 legislative act denies Negroes the rights guaranteed by the 15th Amendment to the United States Constitution.

Tuskegee authorities were forbidden to enforce the law, which reduced the number of Negro voters within the redrawn city limits.

Located 40 miles east of Montgomery in east-central Alabama, Tuskegee is the county seat of Macon County, where Negroes outnumber white residents nearly 6 to 1.

The 12 Negroes, including C. G. Gomillion, president of the Tuskegee Civic Association, charged that the 1957 Legislature discriminated against members of their race in passing the gerrymandering act.

Racial Screening Work Continues

MONTGOMERY, Feb. 24 (AP) — Doors were closed again today as the Legislature's Racial Screening Committee met for the second straight day.

But the Macon County Abolition Committee, which met jointly with the screening group yesterday and then separately, was in recess for a week or two. Screening committee members said the group discussed only general legislation "which might be needed" in its work co-ordinating all bills dealing with segregation.

OPELIKA HEARING OPENS

Macon Vote Barriers Depicted By Federals

By REX THOMAS

OPELIKA (AP) — Federal attorneys put testimony into the record Monday that Negroes with college degrees have been turned down as voters in Macon County while white men and women with little or no education were allowed to vote.

This was the picture drawn by lawyers for the Justice Department seeking a federal court injunction to prohibit future discrimination against prospective Negro voters.

The hearing before U.S. Dist. Judge Frank M. Johnson Jr. which opened here Monday, is expected to last most of the week.

Government witnesses testified that:

HELP FOR WHITES

1. Negroes seeking to register as voters were required to copy in longhand lengthy passages from the federal constitution but several white applicants said no such requirement was imposed on them.

2. White applicants in some instances got help from registration officials in filling out their questionnaires, but Negroes did not.

3. Although the Negro witnesses said they were forced to journey to the county seat, Tuskegee, to apply for registration, members of the board of registrars visited white applicants and in some instances registered them in their homes.

One white witness called by the Justice Department said she was registered even though she had never been to school and can not read or write.

COLLEGE DEGREE

Another said she was permitted to vote even though she went only through the fifth grade in school and her husband, likewise registered as a voter, had only a third grade education.

By contrast, one Negro witness after another testified she had at least a high school education: two of them said they were turned down as voters despite the fact that they have college degrees.

"I ain't never been to school and I can't read or write," admitted Mrs. Maybelle S. Hickman, 62, in telling the court she was registered at her home in 1957 by State Rep. Grady Rogers. He was a member of the board of registrars at that time.

She said a daughter-in-law filled out the application form and that she wrote nothing on it except "a little crossmark" before Rogers accepted it and added her name to the poll list.

QUESTIONS ANSWERED

Similar testimony came from another white voter, 69-year-old Mrs. Lela Berry. She said Rogers and another board member registered her at her home and that she only wrote "something on a line or two at the bottom" of the already-completed application.

By contrast, Negro witnesses testified they had to answer all questions on the form, plus copy long passages from the U.S. Constitution. Never, they said, did registrars help them or accept their applications at their home.

Leadoff federal witness was Mrs. Marie Williams, who identified herself as a variety store supervisor and a high school graduate with three and one-half years' college training.

Five times, she testified, she went to the courthouse in Tuskegee, made formal application and wrote sections of the federal constitution. But she said she was never registered.

ERRORS POINTED OUT

Cross-examining Mrs. Williams, state's attorneys emphasized errors in some of her applications, pointing out that she wrote two different birth dates for herself and two birthplaces for her husband.

Another high school - educated Negro witness, registered nurse Betty B. Quinn, said she was finally registered on the fourth trip to the registrars' office. Mrs. Carrie Ella White said she applied four times before she was registered.

The state, on cross-examination of the Quinn woman, again noted application mistakes. Attorneys said she wrote her birthplace on the wrong line and also failed to say how long she had lived in a certain precinct. They also pointed out errors on Mrs. White's applications.

Still another Negro witness, Eugenia C. Billes, who holds a bachelor's degree in education, said she never heard from the application she filled out on the third trip to the courthouse. She said she waited without seeing a registrar the first two times.

Registrars Firmly Deny Vote Barrier

OPELIKA (AP) — Two former Macon County registrars Wednesday emphatically denied federal charges of discrimination against prospective Negro voters.

But one of them admitted that the registration board on which he served erred in the acceptance of some white voters with little or no education, and the other conceded that it might not be necessary to subject applicants to the time-consuming chore of copying long passages from the U.S. Constitution in longhand.

With that testimony, from the first two witnesses presented by state's attorneys in a federal court injunction suit, the three-day federal court hearing appeared to be nearing an end.

After former Registrar Charles Donald Scott left the stand late in the day, state's attorneys said he might be their final witness but they were unprepared to say conclusively without conferring among themselves.

SEVERAL TERMS

U.S. Dist. Judge Frank M. Johnson Jr., while leaving the decision up to them, said the court would like to hear testimony from two

the members of the present registration board and from State Rep. Grady Rogers, a former board member who has served several terms.

Rogers' name has been mentioned repeatedly in testimony from Negroes who complained they were denied registration.

Scott, who resigned from the board last month, insisted that no distinction between white and Negro applications was made during the six months he served as a board member.

But, under cross-examination, he admitted that the board probably could determine a prospective voter's ability to read and write without requiring him to write seven or eight pages from the federal Constitution.

SLOW-DOWN PROCESS

The Justice Department, which is asking for a court injunction to prohibit future discrimination, has charged that the board on which Scott served last year adopted a deliberate slow-down process to keep Negroes from registering, and that requiring every applicant to undergo the lengthy writing test was part of the delaying action.

Earlier, former Registrar E. P. Livingston had conceded that the board on which he served with Rogers in 1957 and 1958 had registered some white voters they probably should not have.

Livingston testified that the board in 1957 and 1958 made "no distinction whatever" in considering applications from prospective white and Negro voters.

He did say, however, that the board had separate offices for white and Negro applicants to take their tests.

Under cross-examination by Justice Department attorney Bene Brooks of Washington, Livingston conceded that some white voters were excused from the chore of copying in longhand lengthy passages from the U.S. Constitution.

The Justice Department contends that Negro applicants were subjected to that test of their ability to write while prospective white voters were not.

RULING WAIVED

Confronted with applications from several white voters who were not required to copy portions of the Constitution, Livingston said the requirement was waived when the board visited rural precincts to register new voters. He explained that there were 'no facilities" for the writing, despite Brooks' insistence that it would have taken nothing more than a pencil and paper.

Livingston, a brother of Chief Justice Ed Livingston of the State Supreme Court and an uncle of one of the state's attorneys, Willard Livingston, also admitted some white voters were registered despite errors on their application papers similar to mistakes for which Negroes were turned down. "That must have been an error on the board, that's all I can think of," the witness explained.

As an example of errors and unanswered questions on some of the white voters' applications, the federal attorney pointed out this one:

Question: Have you ever been legally declared insane? Answer: "No."

Question: If so, give details. Answer: "High School."

On another application paper, a white voter left unanswered this question: "Would you aid and comfort enemies of the United States and the State of Alabama?" Livingston said he would have rejected that application if he had noticed the omission, but admitted he had signed it, giving his approval to the application.

Johnson called a two-hour recess before the state started its presentation, giving the defense attorneys a chance to examine a number of Macon County voter registration records which had been in custody of the Justice Department for several months.

Federal lawyers, seeking an injunction forbidding future denial of Negro voting rights in the east-central Alabama County, rested their case at mid-morning after two and one-half days of testimony.

The government sought to show a systematic practice of refusing to register Negro voters or putting them off for long periods before even considering their applications. At the same time, U.S. attorneys contended, white voters were registered quickly.

Before closing their case, government lawyers recalled Registrar Wheeler Dyson and tried in vain to get him to say that the board of registrars began slowing down registration last year to keep more Negroes off the poll list.

Dyson flatly denied any such motive and, asked why only one applicant at a time was interviewed despite a long waiting list, said the board felt it could not accommodate more than that at once.

Tuskegee Gerrymander Ruled Unconstitutional

MONTGOMERY, Ala. — The gerrymander that made a jig saw puzzle piece of Tuskegee and disfranchised all but a handful of the city's 400 Negro voters was ruled unconstitutional in the federal court here last week.

United States Judge Frank M. Johnson, Jr., also issued an order prohibiting Tuskegee City and Macon county officials from enforcing the 1957 legislative act that rearranged Tuskegee's city limits.

The judge ruled on a suit filed by C. G. Gomillion, president of the Tuskegee Civic association, and 12 other Negroes contending that the state law discriminated against them because of race and color.

Ruled unconstitutional was a statute that redrew Tuskegee's municipal boundaries and left only four or five Negro voters inside the city limits.

About 400 Negroes were registered to vote in city elections before the law was passed in 1957.

Until 1957 the boundaries of Tuskegee formed a perfect square. In that year the Alabama legislature redrew the boundaries to form a twenty-eight sided figure resembling a sea dragon.

A group of Negro former residents sued in the Federal courts, contending that the Alabama statute was directed against Negroes, depriving them of voting rights and other civic benefits of city life.

The lower courts disfissed the case, saying that the state had discretion to set a city's boundaries.

Last November the United States Supreme court ruled that a state may not change the boundaries of a city if the effect is to virtually exclude from the city all Negroes.

This ruling sent the case back to the lower federal courts and resulted in Judge Johnson's action.

Negro, White Voters List Surprise Judge

Opelika, Ala. — Federal Judge Frank M. Johnson Jr. expressed surprise today when he learned Macon County authorities break down the qualified voter list into whites and Negroes.

"You mean to tell me," Johnson said to Justice Department attorney Robert Owen, "they list the voters as white and Negro? I have never heard of such a thing."

The federal judge made the remark while the government continued to pile up testimony to show prospective Negro voters are systematically discriminated against in Macon County.

In the second day of testimony, five Negroes said they were forced to stand in line for long hours and to write lengthy sections of the U. S. Constitution, before they were allowed to fill out the application forms to become registered voters.

All the Negroes had at least two years high school education, but only one was registered.

One white witness, Mrs. Ora M. Casady, 39, of Notasulga, testified the registrars visited her at her home and promptly registered her without requiring her to write or read any of the Constitution.

Registrar defends practices—

State preparing to counter Macon vote case testimony

BY AL STANTON, News staff writer

OPELIKA, Ala., Feb. 22 — State's atorneys today prepared a counter-attack against an avalanche of federal government testimony showing mass discrimination against would-be Negro voters in Macon County.

More than 35 witnesses had testified, and piles of exhibits introduced, as the civil rights trial went into the third day before U. S. District Judge Frank M. Johnson Jr. here.

Robert Owen, civil rights division attorney with the U. S. Justice Department indicated he would rest his case before the luncheon recess.



STANTON

Asst. Atty. Gen. Gordon Madison, heading the state's case, promised he would match the government's testimony and show absence of discrimination in the heavily-Negro Black Belt County.

The government is seeking an injunction to halt alleged discrimination against Negro voter applicants in adjoining Macon.

Voter Registrar Chairman Wheeler Dyson defended board practices late yesterday under sharp questioning by Owen and Judge Johnson.

Judge Johnson evidenced a curiosity over why the board was requiring lengthy copying of a section of the Constitution by voter applicants and what the board was doing to reduce a huge backlog of voter applicants in Beat 1 of Macon County, comprising the city of Tuskegee.

DYSON, THREE TIMES appointed to the board of registrars while other members were resigning, insisted there was no discrimination.

To a question by Judge Johnson, Dyson said, "They all look alike—when they are in that office they all look alike to me, but outside."

...appointed board is working on new rules and regulations, he said in answer to another question by Judge Johnson.

Atty. Owen sought to show Dyson registered but few voters at the courthouse at Tuskegee but registered many more on the board's trips to the several precincts.

However, Dyson's bitterest moments came under the questioning of Johnson who wanted to know why Macon authorities forced Negro applicants to write as much as eight pages of the Constitution.

Dyson replied, "There's no special reason—it's just custom. Yes,, there's a backlog. I don't know of any other reason than just custom."

JOHNSON snapped back with the question, "What does copying the Constitution have to do with the ability to read or write?"

Dyson said, "I don't know whether it has antyhing to do with it or not," obviously nettled.

Johnson then rifled his final question in the suspensful series: "Have you done anything to eliminate copying the long articels of the Constitution . . . there are short ones as well as long ones, you know?"

Dyson replied that the board was thinking about it.

The government showed that there was a backlog of some 400 applicants, mostly Negro, in Tuskegee, the county's most populous beat.

JOHNSON demanded to know what Dyson and the other board members were going to do about reducing the backlog.

Dyson replied that since there were now three members of the board it would:

Take two applicants at one time rather than one and let the third member of the board handle the easily-processed transfers.

It would also take "prompt action" to cut down the backlog by scheduling all registration dates for the next six months at the courthouse in Tuskegee.

He explained the law had required board members to go into the beats at least once a year.

The board also will study new procedures for speeding up the processing of applications, including whether to pen out lengthy sections of the Constitution, he said.

THE GOVERNMENT scored a point with testimony from Negro Daniel Webster Wynn, 41-year-old chaplain and philosophy professor at Tuskegee Institute, who said he failed his registration test twice despite the fact he had been a registered voter in Texas and Massachusetts and held four post-graduate college degrees.

Wynn's testimony came in sharp contrast to that of David Austin Haywood, a 32-year-old Tuskegee white man, who was dismissed from the witness stand by Johnson who later said "this witness is apparently so ignorant and/or confused that this court does not want to hear any more of his testimony."

The witness testified he was a registered voter and that he had copied a portion of the Constitution but he could not answer a question as to when, where or how he registered and could not read one of the questions on the voter application form.

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NEVER CALLED

Among the Negroes who testified that they were given numbers and required to wait until they were called — and sometimes never called—was Professor Daniel Webster Wynn of Tuskegee Institute, who said he has four college degrees including a Ph.D.

Wynn said he was turned down in 1957 and applied again last year, but his number was never called. Federal attorneys produced testimony from other witnesses that only about five applications were accepted from the long waiting list each month.

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SEVERAL TERMS

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Alabama Aides Deny Negro-Voting Bias

By The United Press

Alabama officials yesterday denied Government charges of discrimination against prospective Negro voters. In Lynchburg, Va., seven Negroes drew 60-day jail terms for staging a drugstore sit-in demonstration.

Former Macon County, Alabama, Vote Registrar E. P. Livingston told Justice Department investigators in Opelika that the Board of Registrars used segregated facilities but made "no distinction as to white or black applicants."

Hearing To Continue

On cross-examination by United States Attorney Ben Brooks, Livingston admitted he give no reason for the registration of illiterate white persons.

Negroes outnumber whites 6 to 1 in Macon County, but records show there are twice as many white voters. The hearing is expected to continue throughout the week.

Six of the Negroes sentenced in Lynchburg are students at Virginia Theological Seminary. They began serving their sentences immediately. The seventh, a housewife, was freed on $1,000 bond pending an appeal.

like to hear testimony from two of the members of the present registration board and from State Rep. Grady Rogers, a former board member who has served several terms.

Rogers' name has been mentioned repeatedly in testimony from Negroes who complained they were denied registration.

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SPEAK TO JOINT LEGISLATIVE COUNCIL

Miss Margaret Sturgis, president of the Joint Legislative Council of Alabama, appears here with the three principal speakers at the organization's spring meeting here Saturday. The men are (left to right) D. Broward Segrest, Tuskegee; A. Frank Lee, Montgomery; and Dr. Donald Strong, University.

Prisons, Reapportionment Leading Topics Of Joint Legislative Group

By JANE MARXER
Of The Advertiser Staff

The Joint Legislative Council of Alabama heard talks on legislative reapportionment and redistricting, prison reorganization, and the possible abolition of Macon County at its spring meeting at the Whitley Hotel Saturday.

The speakers were Dr. Robert Strong, University of Alabama political science professor; A. Frank Lee, commissioner, Board of Corrections for the state; and D. Broward Segrest, Tuskegee lawyer.

In addition to the principal talks, the gathering of serious minded women in their smart spring attire heard reports on a variety of legislative matters. Probably the one evoking the greatest interest was by Mrs. T. Chamblin Patterson of Jefferson County, representing the Alabama Federation of Women's Clubs on a stand against quickie divorces.

Dr. Strong, the luncheon speaker, began his talk by an explanation of the distinction between redistricting and reapportionment.

Redistricting refers to congressional districts, of which the state formerly had nine, he said. Now it must have eight. Reapportioning refers to the slicing up of state legislative districts, said Dr Strong. "It is just possible that there might be some way of tying the two together."

"Bear in mind, reapportionment is a nationwide problem," he said. Three-fourths of the states are concerned with it, and it all stems from the same condition, according to the professor. That is, people are leaving rural areas and going to the cities.

Alabama's Constitution is quite explicit on the idea of reapportionment, but there is a tendency "not to take the constitution seriously among friends," said Dr. Strong. According to the constitution, reapportionment should take place at the first meeting of the legislature after the beginning of each new decade.

"I think if you are going to take democracy seriously, you must work as hard as you can for reapportionment," he declared.

In his talk during the morning session, Lee emphasized, "I do not like the term, 'prison reform.'" He added, "We are trying for better conditions—reform makes it sound as though things are very bad." Lee admitted, however, "Kilby prison is just a monstrosity." It would take $1.5 million to make it livable, he remarked.

There is a need for separate prisons for three categories—for prisoners of maximum, minimum and medium degrees, according to his expressed belief.

ATTENTION LACKING

Lee said that one of the things that worries him the most is the lack of special attention for psychopath and sociopath types. Another concern is the "renting like mules" of road camp workers to the State Highway Department for $55.90 a month.

Still another anxiety of the commissioner is the proper facilities and handling of youthful offenders with good possibilities of rehabilitation. He favors a plan whereby those under 20, except for certain types, never see a prison as such, and are placed under a Boy Scout type of supervision.

In his talk on the possible abolition of Macon County, Segrest expressed concern over a constitutional amendment passed several years ago giving the legislature that power.

A majority of the people voted for the amendment, since it was posed to them in such a way that otherwise the Negroes would come forward and dominate the government, according to Segrest.

"We feel that the situation is not as serious as the newspapers and some politicians would have us to believe," he added, however. There are 26,717 people in the county, and 81 per cent are Negro, Segrest said.

Out of 21,000 Negroes, 3,000 are students and many from out-of-state and therefore ineligible to vote here. Another large segment are patients at the VA hospital, and most of them would not be able to vote in a local election.

"We have asked the legislative committee in Macon County to give us an opportunity to work out our own problems," said Segrest. One solution, he said, would be to attach a portion of Tallapoosa County to Macon, but that would involve "selling."

Tallapoosa County would not be committing suicide by helping county out of a very difficult spot, said Segrest. Macon County is out of debt, and the addition of a suitable portion of Tallapoosa would give the county 6,000 additional white citizens and 3,000 additional white voters, according to the speaker.

Stay asked in vote case

MONTGOMERY, Ala., March 25. State's attorneys said Saturday they will ask U. S. Dist. Judge Frank M. Johnson Jr. to stay his order to register 64 Negroes to vote in Macon County.

Asst. Atty. Gen. Gordon Madison said the state has filed notice of appeal in the case.

Madison said the state will ask Johnson to withhold execution of the portion of his decree concerning the 64 until higher courts rule on whether Johnson has that authority.

Negro Vote Registering Delay Fails

MONTGOMERY, March 29 (AP)—State's attorneys failed today to delay a Federal court order to register 50 Macon County Negroes as voters.

Judge Richard T. Rives of the Fifth U. S. Circuit Court of Appeals refused a state request for a stay of execution pending an appeal from the order of U. S. Dist. Judge Frank M. Johnson Jr. 12 days ago.

In a brief ruling, Rives said it was unnecessary for him to intervene in order to "preserve the rights" of the state pending outcome of the appeal.

Johnson ordered Macon County voter registrars to refrain from anti-Negro discrimination and directed them as a start to register 64 Negro applicants who had been turned down.

He agreed later, however, to remove 14 Negroes temporarily from the list of those ordered registered. The state contended the 14 had moved from Alabama or were disqualified by law from registration.

No reason to fear Tuskegee bloc vote

The Afro-American, Baltimore, Md. 3-26-66

TUSKEGEE, Ala. —Failure of the City of Tuskegee to appeal a Federal court decision voiding the Macon County gerrymander, which disfranchised all but a few colored voters, has touched off fear of bloc voting.

Dr. Charles G. Gomillion, however, declared he knows of no reason to "believe that colored people would vote for a colored person simply because he's colored."

The president of the Tuskegee Civic Association and faculty member at Tuskegee Institue made the comment after Judge Frank M. Johnson Jr. ordered a speed up in the registration of qualified voters.

* * *

BUT DR. Gomillion said colored persons would be "justified" in block voting for a candidate for the school board or city council.

Otherwise, he added, the colored voters would probably vote for a candidate like choosing a lawyer in certain types of lawsuits.

"Colored persons may feel that a colored lawyer is as well qualified as a white attorney and at the same time feel that the white lawyer would have a better chance in a southern court."

* * *

IN THE meantime, Cosby Johnson of Route 1, resigned as a member of the Board of Registrars. He gave no reason.

The board still has the power to function with two members remaining —Frank Smith, chairman, and Wheeler Dyson. Dyson said 'I'm going to stick it out," but the chairman was unavailable for comment.

Although the gerrymander failed, the Alabama legislature now is considering abolishing Macon County as a means of keeping the vote from the colored populace which outnumbers the whites five to one.

At the same time, it was learned that the Civil Rights Division of the Justice Department has demanded permission to inspect voter registration records of Jefferson County (Birmingham).

Tuskegee Institute Requests More Money

Birmingham Post-Herald, Birmingham, Ala. Tues. 3-28-66

Otherwise Specialized Courses Will Be Dropped, Budget Planners Told

MONTGOMERY, March 27 (AP)—State authorities face the choice of raising Tuskegee Institute's appropriations or risking a breakdown in a program designed to preserve college segregation.

President L. H. Foster said that unless more state money is available, Tuskegee must discontinue an 18-year-old program of training Negro students in specialized courses not available to them in state-operated Negro colleges.

It could mean that the Negroes now enrolled at Tuskegee at state expenses would have to turn elsewhere—perhaps to white schools—for training in agriculture, home economics, nursing, engineering and veterinary medicine.

Foster reminded Gov. John Patterson's budget committee that the courses were set up "at the request of the state" in 1943 to provide training in fields not being taught at the two state-operated Negro colleges.

He explained that the state funds appropriated for this year took care of only 40 per cent of the total cost of administering the courses and said Tuskegee had to spend money for such instruction instead of for other needs.

"Unless there is more financial relief," he declared," "It will not be possible for Tuskegee Institute to continue these offerings for another biennium (two years)."

Although Tuskegee is a privately endowed Negro school, the state has appropriated funds for the past 18 years to help finance the specialized training.

The allotment for this year will amount to an estimated $348,527. Foster's budget request called for an increase to $701,800 for each of the next two years.

The two state-financed Negro colleges also submitted their budget requests today, and also asked for substantial increases as well as more than $8 million for buildings.

Alabama State at Montgomery, which currently gets $980,233, wants $1,430,000 next year for operating expenses, plus $2,947,150 for building needs.

And Alabama A&M at Huntsville asked for an increase from $805,887 to $1,124,750 for operation and maintenance, and $5,227,200 for a huge building program.

Macon's future—

The Birmingham News

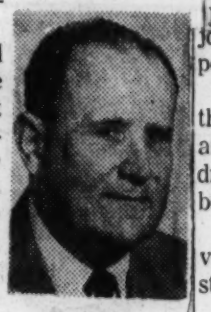
Merger, unit voting studied by legislators

Birmingham, Ala. Sun. 3-26-66 p. 1

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., March 25—Members of the Legislature's joint committee on Macon County have been keeping largely mum on their recent executive sessions, but it is known that the lawmakers are considering two courses of action.

Reportedly they are eyeing a plan involving more than just the abolition of Macon County on account of the prospects that federally enforced registration of Negroes would give control of the county to Negroes.



SPARROW

Not only would the plan relate to Macon, but it would also affect the 11 other Alabama counties which under the 1960 census have a preponderance of Negro residents.

They are Greene, with 81.3 per cent of its inhabitants Negroes; Lowndes with 80.7; Wilcox, 77.9; Sumter, 76.3; Bullock, 71.9; Hale, 70.7; Perry, 65.8; Marengo, 62.1; Dallas, 50.7; Barbour, 53, and Monroe, 50.7.

Close margin

TWO OTHER COUNTIES, Choctaw and Russell, became so-called white counties as a result of the decline in Negro population between 1950 and 1960. But the margin is still close. Choctaw had a 52.5 per cent Negro population in 1950 and now has 49.6. Fifty two percent of Russell's population in 1950 was Negro. As of now the Negro population is 49.6 per cent.

The plan would be to handle the changes and possible abolition of counties where Negroes are dominant in number in connection with the redistricting of the state.

Since it is necessary for Alabama to redistrict because the state is to lose one seat in Congress, the committee members are thinking about killing two birds with one stone.

Counties with large Negro populations probably would suffer major operations, if they are not actually abolished. Those operations would be to transfer dense Negro areas where possible to adjoining counties having a larger percentage of white inhabitants.

It could mean a reduction in the number of Alabama counties and it could mean large scale and drastic changes in long established boundary lines.

It would in all probability involve one or more changes in the state's constitution.

Unit system

THE SECOND PLAN the committee members reportedly have under consideration calls for a shift to the unit system.

Each county would be divided into units, each having the same over-all voting power as the others. Densely populated Negro areas would, where possible, be grouped in one district or unit.

The plan is somewhat similar to Georgia's county unit system, whereby rural areas have considerably more authority in electing state officers including legislators than the large counties.

The plan reportedly has certain objections. It would require a constitutional amendment which would have to be voted on by the state as a whole. Larger and more populous counties might oppose it, fearing the plan might result in reducing what little political power they now have.

Also, even though the U. S. Supreme Court has refused to rule on constitutionality of Georgia's unit system, that would not be a guarantee that the Alabama unit system would be bypassed.

Macon Vote Suit Ends; Judge Delays Ruling

Written Summaries On Legal Points Will Be Submitted By Both Parties

OPELIKA, Feb. 23 (AP)—Trial of a Federal suit charging denial c Negro voting rights in Macon County ended today after an ex registrar admitted signing up voters in a courthouse vault.

U. S. Dist. Judge Frank M. Johnson Jr. gave no indicatio how or when he will rule on the Justice Dept. suit seeking an in junction to forbid future discrimination against would-be Negro voters.

The judge delayed his discision until he can study the lengthy record and exhibits as well as written summaries from opposing attorneys on the legal points involved.

One of the last state witnesses, State Rep. Grady Rogers, conceded under questioning that he once accepted voter applications in a vault in the probate judges office in Tuskegee.

But Rogers, who served two terms as a registrar and resigned late in 1958 shortly before the lone-pending Federal complaint was filed, denied working in the vault to dodge Negro applicants.

Not Clear On Law

The legislator also testified that he used a time-consuming writing test to determine applicants' fitness, but admitted he wasn't sure whether state law requires voters to be able to read and write.

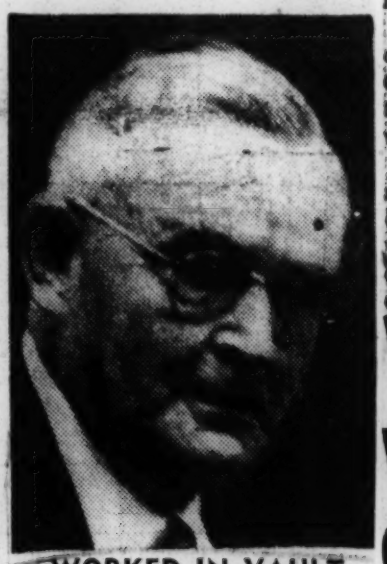
Before closing the four-day hearing, Judge Johnson called a newly-appointed registration officer, Cosby Johnson, to answer questions about future policies of the Macon County board.

Few plans have been made, the registrar said, but current members will try to quicken the pace of registration to take care of a heavy backlog of waiting Negro applicants.

He also testified the board still may use the controversial written test, which involves longhand copying of lengthy passages of the U. S. Constitution. Some witnesses said that took two hours or more.

Second Registrar Excused

Frank Smith, another member of the present registration board, told the judge his testimony would be generally the same. He was excused from taking the stand.



WORKED IN VAULT— State Rep. Grady Rogers.

While Rogers was testifying, Judge Johnson questioned him closely about the disputed board practice requiring prospective voters to write several pages from the Constitution.

Rogers admitted that the writing chore, which he said was waived for some applicants, mostly white persons, actually served only to a "minor extent" to guide registrars.

Then when Johnson asked him why one of the longest articles in the Constitution was chosen for copying, Rogers replied quietly, "I have no answer."

Explanation Lacking

Neither did the onetime registrar offer an explanation when Justice Dept. Atty. Ben Brooks asked him why white people with little if any education were registered to vote.

Rogers, questioned about whether Alabama law sets out the ability to read and write as requirement for voters, replied: "I don't know. I think maybe it does."

Explaining why some applicants were excused from the writing test, the legislator said "there were no facilities" such as desks for writing when the board visited rural precincts.

Rogers was at a loss to explain why the voting records, submitted as evidence by the Justice Dept., showed that some Negroes were accepted for registration but never were notified.

The Federal suit was based on complaints from Negroes in East-Central Alabama's Macon County, where Negroes outnumber white residents nearly 6-1.

Government lawyers charged a systematic pattern of anti-Negro discrimination, which enabled white persons to hold political control in county and municipal elections in Macon County.

White, Negro witnesses tell of discrimination

BY AL STANTON
News staff writer

OPELIKA, Ala., Feb. 21—Federal attorneys called more white and Negro witnesses today in an effort to show that Macon County voter registrars invite white voter applicants but discourage or reject Negroes.

About 20 witnesses were expected to appear in the trial of the civil rights suit before U. S. District Judge Frank M. Johnson Jr.



STANTON

The State of Alabama is defendant in the suit for injunction, along with one member of the present Macon board and a former member who resigned last month. The present board member, Chairman Wheeler Dyson, accepted reappointment.

In the civil rights complaint, the government alleges discrimination against Negroes and seeks to force the state and Macon registrars to register Negroes.

FEDERAL LAWYERS called 10 white and 10 Negro witnesses yesterday.

All the Negroes had a high school or better education but few were registered to vote, although, they testified, they had applied to the board many times.

None of the white witnesses, however, had gone beyond the 10th grade, and virtually all said former Macon board members had come to their homes offering to register them to vote.

MOST MENTIONED former Board Member Grady Rogers, now state representative from Macon, or E. P. Livingston, or both, as having helped them fill out voter application questionnaires.

Government attorneys, headed by Robert Owen, were attempting to show a pattern of Negroes being harassed by long periods of forced waiting in the registrars' office at Tuskegee and numerous rejections because of technicalities.

They also brought white witnesses to show that registrars actively sought to register them by coming to their houses, helping them fill out questionnaires or filling them out for them, and supplying vouchers by already-registered voters.

THE NEGRO witnesses, all but one woman, testified they had to copy a lengthy section of the U. S. Constitution along with filling out voter applications.

None of the white witnesses said they were required to copy parts of the Constitution.

L. W. Davis, Negro, the budget officer of Tuskegee Institute in Macon County, said he had applied to the board to register to vote, copied the section of the Constitution, filled in the questionnaire and never heard from the board again.

DAVIS HAS DONE work toward his doctor's degree.

Mrs. Lena H. Johnson, Negro high school graduate, said the second time she went to register, she was handed a pencil and asked to copy the second article of the Constitution.

A board member told her to write it over 'because it has to be written in ink," she testified.

Mrs. Maybelle S. Hickman of Tuskegee, who said she had never been to school, testified Rogers came to her house and registered her to vote.

SHE SAID SHE signed the application with an "X" after it was filled in for her by her daughter-in-law, Mrs. Catherine B. Hickman.

"Mr. Rogers knowed I couldn't read," she testified.

Several other white witnesses said Rogers, Livingston or someone else filled out the complicated application blank.

Negro witnesses who were turned down admitted errors in their applications. These included failure to answer properly such questions as date of birth, birthplace and other names they had been known by.

SEVERAL NEGRO witnesses conceded they had failed to answer some of the questions.

State's attorneys succeeded in pointing out that virtually every rejected Negro application contained an error.

But the federal government showed that one white woman gave the year that she became a resident of Macon County as "1999."

Asst. Alabama Atty. Gen. Gordon Madison is principal counsel for the state. Atty. Gen. MacDonald Gallion sat in on the trial, with Robert P. Bradley, the governor's legal advisor, and Asst. Atty. Gen. Leslie Hall.

Robert Owen of the civil rights division of the U. S. attorney general's office is conducting the government's case, assisted by other attorneys working in the courtroom and elsewhere interviewing witnesses.

"Any plan or local measures which has been prepared or formulated was done so without the advice or consent of any member of the city's governing body," said Mayor Howard Rutherford.

A bill to replace Tuskegee's city officials with appointed boards has been drafted for introduction in the Legislature starting in May, according to a Macon County political leader.

The proposed local act is aimed at getting around a recent federal court decision ordering about 400 Negro voters brought back into the city limites.

REDREW BOUNDARIES

Outlawed with that ruling was a 1957 Legislative act which all but did away with Negro voting in Tuskegee. It redrew the municipal boundaries and left only half a dozen Negro voters inside.

Neither the mayor nor any city councilman has "any knowledge of any bill, plan or proposed legislation which would change or alter the existing form of city government or existing boundaires," Rutherford said in a prepared statement.

His mention of futher change in the city limits apparently referred to an alternate plan that a separate all-Negro city be chartered by the Legeslature for Tuskegee's Negro neighborhoods.

Tuskegee had many more Negroes than white residents. And mass Negro registration under the Civil Rights Act could easily cost the white citizens their current 3-2 advantage in voting.

A suit pending in federal court now seeks to prohibit registration authorities from discriminating against would-be Negro voters in Tuskegee or elsewhere in Macon County.

Mayor Denies Anti-Negro Plan Support

TUSKEGEE, (AP) — Tuskegee's Mayor denied any support of a proposal to wipe out the city goverment in an effort to prevent Negroes from gaining political power.

former registrar—

Rogers to testify in Macon case

BY AL STANTON, News staff writer

OPELIKA, Ala., Feb. 23 — Former Macon County Board of Registrars Member Grandy Rogers was called into federal court today to defend registration procedures which the government alleges discriminated against Negroes.

U. S. District Judge Frank M. Johnson Jr. all but told state's attorneys to put the former Macon voting official on the witness stand.

Rogers, now state representative from the heavily Negro Black Belt county, has been mentioned frequently in trial of the government's civil rights suit.



ROGERS

The federal government is asking for an injunction to outlaw discriminatory tactics against prospective Negro voters.

THE STATE HAD indicated it was ready to rest its case late yesterday after sending two former registrars to the stand.

But Johnson hinted broadly that the state hadn't put on nearly enough evidence to refute the government's lengthy and cumulative testimony.

"In view of the tremendous amount of evidence presented by the government, the court would like to hear from Mr. Rogers," Judge Johnson said, explaining that Rogers appeared to be the only "thread" of continuity from 1952 to his resignation as a registrar in December, 1958.

Assistant Atty. Gen. Gordon Madison told Johnson he would comply with the court's wishes by calling Rogers and the present registrars to the stand today.

JOHNSON TOLD newsmen he would ask for written briefs at the close of the trial rather than hear oral closing arguments.

He said it would take him some time to study the voluminous exhibits introduced both by the government and the state.

Asked if an injunction would involve appointing a federal referee, Judge Johnson replied he probably would appoint a referee if his restraining order were viol

The 1960 Civil Rights Act allows government to sue states in civil rights cases, also provides for federal voting referees to take over where the government can show that local machinery has discriminated against Negroes.

THE STATE'S LAST witness yesterday, former Registrar Charles Donald Scott, emphatically detnied the board discriminated against Negroes.

Justice Department Atty. Ben Brooks, however, brought out that only six Negroes were registered to vote in Macon County from June to November, 1960, while Scott and Wheeler Dyson were registrars.

Scott agreed with Brooks that the board's aevrage of registering one Negro a month would take almost 40 years to register the backlog of some 400 Negro applicants awaiting registration in Tuskegee.

Scott said that during the same six-month period, 35 white persons were registered. No whites were rejected.

HE CONCEDED that the Board of Registrars could determine an applicant's ability to read or write by having him write one paragraph rather than the entire second article of the U. S. Constitution, which the board had required all applicants to copy when registering.

Scott said all applicants, white and Negro, were required to copy portions of the Constitution, which ran to five or six handwritten pages.

It had been a custom previously, and he and Dyson agreed to continue the practice, Scott testified.

Former Registrar E. P. Livingston also testified that there had been no discrimination against Negroes in registering voters in Macon County.

Livingston and Scott, the only state witnesses to testify thus far wer cross-examined at length by government attorneys, who sought to show a massive slowdown in voter registrations as a general discrimination against Negroes.

Macon Vote Hearing Ends; Judge Weighing Testimony

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Government lawyers charged a systematic pattern of anti-Negro discrimination, which enabled white persons to hold political control in county and municipal elections in Macon County.

Solons Study Rights, Race Issues Here

Two legislative committees dealing with racial matters, civil rights and other pressing problems met behind closed doors Thursday.

The lawmakers apparently set out to study possible legislation aboug Negro-populous Tuskegee and Macon County, voting issues and maybe other matters involving segregation.

One group was the coordinating committee, formed to screen bills relating to registration of voters, police powers of the state, counties and municipalities, the public school system and related matters.

It is headed by Rep. Sim A. Thomas of Barbour County.

The other group is the Macon County Study Committee, charged with studying conditions in Macon and making recommendations on "legislation needed to meet any changing conditions or emergencies" that may arise there. Sen. L. K. Andress of Bullock is chairman.

The meetings came on the heels of a federal court decision which declared unconstitutional a 1957 act excluding virtually all Negro voters from the City of Tuskegee.

Committee members first met in joint session. Among those known to have appeared are Gov. John Patterson and former Macon State Sen. Sam Engelhardt, now state highway director.

Later, separate sessions of the two groups were held.

Legislators Assail Jurist On Macon Study Criticism

By THE ASSOCIATED PRESS

Four House members Thursday issued prepared statements in angry reply to criticism of the Alabama Legislature by U.S. Dist. Judge Frank M. Johnson Jr.

Johnson, speaking from the bench Wednesday while considering the case of a 20-year-old Chicago man, said: "These legislators should concern themselves with taking care of these young men instead of abolishing Macon County."

The legislature's Macon County Study Committee has authority to recommend doing away with the county to keep political control out of Negro hands. The committee has met several times recently behind closed doors.

The four legislators who issued statements Thursday were members of the committee. But they emphasized that they spoke as individual lawmakers and not as committee members.

Rep. George F. Bailey of Montgomery said: "It seems that when federal judges are now trying to tell legislative committees in Alabama what matters they should consider. If some of these judges would refrain from trying to dictate to the people of Alabama, maybe these committees would consider the lesser important matters of which the judge speaks."

Rep. Pete Turnham of Lee County declared that Johnson, by his recent statement, clearly indicates he not only wants to use his office to make laws instead of rule on them, but that he would also like to run the Alabama Legislature as well. His statement was a gross misuse of his office as a federal judge paid with our tax dollar. He is apparently working hard to take over Mr. Warren's job in Washington." (This apparently was a reference to Chief Justice Earl Warren of the U.S. Supreme Court.)

Rep. Homer Cornett of Russell County said the judge's statement was "typical of the federal judiciary — dealing with the legislative branch rather than tending to the business at hand—judicial matters."

Another Montgomery County representative, J. J. Pierce, said: "I feel compelled to remind the judge that government is composed of three branches . . . and it is my opinion that none of these has the right to dictate or interfere with the other. It would also behoove the judge to become informed of the present plans of the Board of Corrections and Institutions before he makes public statements which are critical of the board and the legislature."

Pierce referred to plans disclosed by Prison Director Frank Lee recently to ask the legislature for money to build a separate institution for juvenile first offenders.

No Appeal Move Made By Tuskegee

The city of Tuskegee has failed to appeal a federal court ruling that threw out its gerrymandering arrangement that shut virtually all Negroes out of the city limits.

The 30-day deadline from the time of the ruling passed with no move from Tuskegee or Macon county officials.

But the failure to carry the case up on appeal may not mean acquiescence in the court's ruling. Macon county officials may instead be counting on new legislation to block Negroes from assuming possible political control.

HANDFUL OF NEGROES

The gerrymandering act which changed the city boundaries, enacted in 1957, excluded all but a handfull of Negroe voters.

The act was upheld by U. S. District Judge Frank M. Johnson Jr., but was eventually held to be unconstitutional by the U. S. Supreme Court.

The court returned the case to Johnson, who then threw out the act. The Supreme Court had held that a Legislature could not change municipal boundaries if its purpose was to deprive citizens of the right to vote.

Johnson's decision restored roughly 400 Negroes as voters in Tuskegee city elections.

SPEED UP VOTING

In a more recent decision, Johnson ordered Macon County voter registrars to speed up registration of qualified Negro applicants for the right to vote.

No Appeal In Tuskegee Vote Case

MONTGOMERY —(AP)— The 30-day limit has passed without an appeal of a federal court decision which threw out the 1957 legislature's rearrangement of the Tuskegee city limits.

By letting the deadline go by Monday, city and county officials at Tuskegee left unchallenged the ruling by U. S. District Court Judge Frank M. Johnson Jr. which restored to some 400 Tuskegee Negroes the right to vote in city elections.

The law had changed the city's boundaries to exclude all but eight or 10 Negro voters. Although it did not take away their right to vote, it left them ineligible to take part in city elections.

Johnson ruled that the act was unconstitutional. He held that the sole purpose of the measure was to put "the Negro citizens out of the municipal limits and deprive them of their municipal vote."

Negroes substantially outnumber white residents both in Macon County and in Tuskegee, the county seat. However, there are more white voters.

The legislatures' Macon County study committee, which can recommend abolishment of the county if it sees fit, has conferred with city officials in search of a way to keep political control in white hands.

MACON COUNTY
ABOLITION COMMITTEE

Abolition Committee Meets With Governor

Birmingham Post Herald
p. 11
Box 4, 3-15-61

MONTGOMERY, March 14 (AP)—Several members of the Legislature's Macon County Abolition committee met with the governor today after a conference between the committee and Tuskegee city officials.

Committee members declined to say what they talked about.

At the earlier closed-door session with Mayor Howard Rutherford and Tuskegee city councilmen, they reportedly discussed the recent Federal Court ruling knocking out a 1957 state law which virtually eliminated Negro voting in Tuskegee. The act redrew the city limits and left most Negroes outside.

Ready for introduction in the Legislature this year is another bill aimed at keeping Negroes from gaining political control in Tuskegee and elsewhere in Macon County where Negroes outnumber whites.

It would abolish the city government and turn the municipal functions over to boards appointed by the Legislature, subject to the governor's approval.

The disclosure that such a measure has been drafted, however, brought a statement from Mayor Rutherford saying he had nothing to do with it and disclaiming support of it.

TUSKEGEE BRIGHTENS

The Montgomery Advertiser
Lee County Bulletin
Montgomery Ala.

THINGS are looking up in Tuskegee.

A news report in *The Montgomery Advertiser* (March 14) discloses that Negro and white representatives are meeting to discuss means of ending the boycott and building from there racial harmony and good will.

The Advertiser article reported one dismal note which it is to be hoped will not end the discussions. It was the report that some people in Tuskegee are frightful lest this new communication between white and black, plus the federal court insistence that there be no discrimination in the registration of voter applicants, might lead to Negro domination.

It is unreasoning fear and distrust which to now have made impossible the restoration of good will. Fear cannot be overcome in a situation which isolates white from black. Tuskegee leaders of both races who have started talks designed to bring trust and mutual respect are to be commended. Their efforts can be productive of harmony, justice and peace. Legislative proposals such as that which would abolish the city administration in Tuskegee and turn over government to boards which would be appointed by the legislature, cannot.

Lawmakers Under Fire Of Johnson

The Montgomery Advertiser
Montgomery, Ala.

By ARTHUR OSGOODE

One prisoner got a break, other defendants got sentences, and the Alabama Legislature got a rap on the knuckles in U.S. District Court here Wednesday.

The lawmakers came under fire as Judge Frank M. Johnson Jr. was sentencing 20-year-old Charles Edward Fink Jr., who has eight months of a state sentence to serve in Draper Prison.

The judge asked Fink if he was kept with the general run of prisoners at the prison—that is, not segregated with other youthful first offenders. Fink said he was.

Johnson observed that it might be a good idea "if state legislators concerned themselves with these young men with no prison records, instead of concerning themselves with abolishing Macon County."

He gave Fink, who is from Hodgkins, Ill., an indefinite sentence in a federal training camp for young offenders. And he asked attorneys to try to get Fink released from the rest of his state prison sentence.

BREAK FOR ANOTHER

Prisons Commissioner Frank Lee acknowledged that Fink was with older prisoners at Draper. But he said he "has every reason to believe" the Legislature will act to correct the situation.

"There are not enough quarters," said Lee. He said youthful offenders are sent to Draper, but that all the prisoners there do not fall into this category.

The break was for another convict, who still has more than nine years to serve in a state prison.

Ernest L. Aaron, a white man, was charged with manufacturing an Army identification card. A sentence would have meant a federal detainer, which in turn would have meant that he would have had to serve out his entire state term and then begin the federal term.

This would have knocked out Aaron's chances for parole, so Judge Johnson called on Asst. U.S. Atty. Ira DeMent for a recommendation.

DeMent urged leniency, in the form of a fine which would not hurt Aaron's parole chances. Johnson accepted the recommendation and went it one better. He fined Aaron $250, but specifed that he not be committed to jail for failure to pay it.

CIVIL ACTION

That meant that Aaron, if he doesn't pay up voluntarily, must be sued for the amount of fine in a civil action. It meant, too, his chances of parole weren't knocked out.

Johnson also took time out during the busy court session to persuade a defendant that he wasn't being persecuted.

James Thomas Powell, along with James Everett Brooks, was charged with conspiring to escape the county jail while a federal prisoner. He was specifically charged with getting hacksaw blades smuggled into a jail cell.

Powell complained that he was finement because it was felt he wasn't a trustworthy prisoner.

He then recited previous trouble he has had with the prisoner, saying: "I've gone out of my way to be fair with you." By doing so, he said, he was seeking to show Powell that he had been treated fairly.

OTHER ACTION

Powell pleaded not guilty.

Pleading guilty to sale of amphetamine sulphate ("Bennies") without a prescription at a Phenix City service station and to be sentenced were Kenneth J Bragg and an employe, Garland W. Knight.

To be tried is Francis Lannen, Toledo, Ohio, charged with transporting his nieces to Andalusia for immoral purposes. Lannen pleaded not guilty.

A Ft. Rucker warrant officer, Donald J. Eskew, also pleaded not guilty and is to be tried next month. He is charged with lying during his trial here on a charge of sending fraudulent checks through the mails. He was acquitted.

A Kilby Prison guard charged with a scheme in which a fraudulent check was sent through the mails was absent when three convicts pleaded not guilty to the same charge.

The guard, Levi Wilburn Hughes, has not been found and arrested. The convicts he is charged with conspiring with—Paul Eskell Stanford, James Malcolm Watson, and Eugene Aaron—all pleaded not guilty and will be tried.

A young Chilton County man, Grover Minor, was sentenced to nine months in a moonshine liquor case, and his wife Dorothy Blackman Minor, had her case continued for sentencing with a warning from Johnson.

Johnson continued her case until her husband's release, warning her in the meantime to care for her children and to stay out of the illegal whisky business.

Legislators Assail Jurist On Macon Study Criticism

The Montgomery Advertiser
Montgomery, Ala.

By THE ASSOCIATED PRESS

Four House members Thursday issued prepared statements in angry reply to criticism of the Alabama Legislature by U.S. Dist. Judge Frank M. Johnson Jr.

Johnson, speaking from the bench Wednesday while considering the case of a 20-year-old Chicago man, said: "These legislators should concern themselves with taking care of these young men instead of abolishing Macon County."

The legislature's Macon County Study Committee has authority to recommend doing away with the county to keep political control out of Negro hands. The committee has met several times recently behind closed doors.

The four legislators who issued statements Thursday are members of the committee. But they emphasized that they spoke as individual lawmakers, and not as committee members.

Rep. George F. Bailey of Montgomery said: "It seems that some federal judges are now trying to tell legislative committees in Alabama what matters they should consider. If some of these judges would refrain from trying to dictate to the people of Alabama, maybe these committees could consider the lesser important matters of which the judge speaks."

Rep. Pete Turnham of Lee County declared that Johnson, "by his recent statement, clearly indicates he not only wants to use his office to make laws instead of rule on them, but that he would also like to run the Alabama Legislature as well. His statement was a gross misuse of his office as a federal judge being paid with our tax dollar. He is apparently working hard to take over Mr. Warren's job in Washington." (This apparently was a reference to Chief Justice Earl Warren of the U.S. Supreme Court.)

Rep. Homer Cornett of Russell County said the judge's statement was "typical of the federal judiciary — dealing with the legisltive branch rather than tending to the business at hand—judicial matters."

Another Montgomery County representative, J. J. Pierce, said: "I feel compelled to remind the judge that government is composed of three branches . . . and it is my opinion that none of these has the right to dictate or interfere with the other. It would also behoove the judge to become informed of the present plans of the Board of Corrections and Institutions before he makes public statements which are critical of the board and the legislature."

Pierce referred to plans disclosed by Prison Director Frank Lee recently to ask the legislature for money to build a separate institution for juvenile first offenders.

RACIAL MATTERS STRESSED

Gallion Asks Annual Outlay To Finance Investigations

The Montgomery Advertiser
Montgomery, Ala.

Atty. Gen. MacDonald Gallion said Thursday his office "desperately needed" additional funds to finance investigations, particularly those of a racial nature.

Appearing before a budget committee at the Capitol, Gallion submitted a request for a budget including $25,000 annually for such investigations.

"The fund could be used—and could be badly needed—if we are to keep our legal fences intact for the next two years," Gallion said.

The request was similar to one made by Gallion two years ago which prompted a sharp difference of opinion between the attorney general and Gov. John Patterson.

In 1959 Gallion requested $150,000 to employ special counsel and investigators to be used in the legal fight to preserve segregation.

BLUNTLY REJECTED

Gov. Patterson bluntly rejected the proposal, adding that it was he who was responsible for the preservation of segregation, therefore any such funds should be under the control of the governor.

Gallion said Thursday the $25,000 he now seeks would be used "to pay for investigations of any kind we deem proper, including, and especially, matters dealing with civil rights, racial agitation and related things."

"At the present time we don't have a dime," he added. "I don't know of another attorney general's department in the United States that doesn't have some source of investigative funds."

Gallion asked for a total of $301,000 for the next fiscal year to operate his department. He estimated his office would spend $230,612 this year.

The State Prison Department, anticipating a substantial drop in earnings from a cotton mill, tag plant and other prison industries, asked for a $650,000 increase. That would raise the department's general fund budget from an estimated $1,250,000 this year to $1,900,000 in 1961-62.

COSTS FAR LESS

Director Frank Lee told the committee that because of the income from the prisons, it costs Alabama taxpayers far less to support the penitentiary population than the national average.

Of the $2.33 per day which goes to feed and clothe each convict in Alabama, Lee said prison earnings pay $1.66 and the state only 67 cents. For the nation as a whole, he said, it costs the taxpayers $2.90 a day per prisoner.

Other budget requests were (this year's estimated expenditures and next year's requested appropriation):

Health Department — $715,000 and $821,000; Legislative Reference Service — $60,931 and $68,494; Parole Board—$523,000 and $795,000; Secretary of State—$44,143 and $69,634; State Auditor—$42,696 and $50,448.

Examiners of Accounts — $604,486 and $685,056; Supreme Court —$235,120 and $259,044; Court of Appeals — $86,660 and $92,110; Public Library Service — $179,685 and $273,299; State Toxicologist —$164,000 and $205,100; State Soil Conservation Committee — $26,035 and $37,315.

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Macon County focal point—

The Birmingham News

Underneath surface race situation boils

Birmingham, Ala. Sun. 4-2-61

P. 1

BY JAMES E. JACOBSON, News staff writer

IN THE BLACK BELT country east of Montgomery almost 27,000 people today are going about their business just as other Alabamians are doing in the 66 other counties.

About 6700 of them are in the small town which serves as the county seat. At this time Monday a clerk might be selling a shirt to a customer in Cohn's Department Store another sacking a bag of groceries in the Jitney-Jungle.

34e Ala

Perspective view taken in Macon

Birmingham, Ala. Sun 4-2-61

P. 1

By Birmingham News

Alabamians have watched with deep interest the mush ming battle in Macon County between Negroes demanding right to vote and whites, in a county where they are outnumbered 5-1, maneuvering to retain political control. The conflict has historic implcations for the South, and the rest of nation and the world have grown accustomed to seeing dateline "Tuskegee" in their newspapers. In order to put Macon County picture into perspective, The News sent staffer James Jacobson to talk to the people involved, to find out what the situation really is. This is the first in a series of his reports.

The scene could be duplicated many times over in the South. The cotton fields and pine stands out in the county are no different from those elsewhere. The Confederate monument in the of the wine. The trees should stay, they said.

First in a series

This county and this town, similar to so many others, are not like them all.

The county is Macon.

The town is Tuskegee.

Defenders of the old line

A WEEK OR SO AGO a minor crisis developed. There was talk of cutting down two trees in the square. The path of progress, however, if it was progress, was stoutly barricaded by defenders of the old line. The trees should stay, they said.

So what?

The incident is related simply to point out that even in Tuskegee, even in Macon County, there is much of the everyday. The people go to work in the morning and come home at night. They go to church and worry about bills and work in flower gardens and read their newspapers and watch television.

To their lives, however, there is an added ele-



JACOBSON

Tuskegee and Macon County have been in the news for several years running now, moreso than most there would like. They have been in the news because the town and the county, unwillingly perhaps, have become the focal point of a situation fast coming to a boil.

And this is because nearly 22,000 of the 27,000 people in Macon County are Negroes. Additionally, the localtion there of famed Tuskegee Institute and a large, predominantly Negro Veterans Administration hospital means that a sizeable minority are Negroes with aboce-average education.

Foremost is right to vote

THROUGHOUT THE NATION, and particularly the South, Negroes are actively waging a battle for what they conceive to be their rights. Foremost of their aims, perhaps, and one which many whites, do not deny, is the right to vote.

Carrying this to the logical conclusion in an area where Negroes outnumber whites, 5-1, paints a picture disturbing, to say the least, to whites who have long jealously guarded political control.

It was against that day when Negro voters outnumbered white voters that action was taken which precipitated Tuskegee and Macon County on a publicized path which has since had many turnings.

In June, 1957, the Alabama Legislature passed without a dissent a legislative act which redrew the city limits of Tuskegee from a square extending one and a half miles in each direction from a point in the town square to a 28-sided figure which, Negroes complained, excluded most Negro voters from the city.

A boycott developed

P. 10-A

BEFORE THE CHANGE, it was estimated that there were 600 white voters in Tuskegee and 420 Negro voters, all but 10 of whom were "deurbanized" by the new boundary. No white resident was affected.

Birmingham, Ala.

Immediately a boycott of white merchants developed. Although the Negroes referred to it as a "protest" rather than a boycott, the hard fact was that Negroes didn't come into Tuskegee to do their shopping anymore.

Gov. John Patterson, then attorney general, gained a temporary injunction against the Tuskegee Civic Assn., a Negro organization which he accused of being responsible.

The injunction was later dissolved when Circuit Judge Will O. Walton ruled that the state had failed to prove that the Civic Assn. was sponsoring an illegal boycott or was using force or intimidation to prevent Negroes from trading with white merchants.

Gerrymander action appealed

MEANWHILE NEGROES, led by Charles G. Gomillion, chairman of the division of social sciences at Tuskegee Institute and president of the Tuskegee Civic Assn., appealed the gerrymander act.

Federal Judge Frank M. Johnson in Montgomery ruled, in line with previous precedent, that regardless of any motive which might lie behind the redrawing of the boundaries the action was purely a state concern and not within the jurisdiction of the federal courts. The Fifth Circuit Court of Appeals in New Orleans agreed with him.

The Negroes appealed further, and the United States Supreme Court remanded the case to Judge Johnson with a clear mandate to declare the act unconstitutional if he determined that it was intended to deprive the plaintiffs of constitutional rights on the basis of their race.

"When a state exercises power wholly within the domain of state interest," the decision said, "it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right."

Next came vote issues

WHITES ARGUED THAT THE REDRAWN city limits did not deprive Negroes of the right to vote—simply the right to vote in city election. However, in February of this year Judge Johnson reversed his earlier position, ruled the act unconstitutional and enjoined city officials from enforcing the new boundaries. When the city failed to appeal his decision, the reversion to the historic city boundaries became permanent.

At the same time this litigation was in progress, action was also underway to make it easier for Negroes to become registered voters. There were complaints that even Negroes with college degrees were being turned down while whites who could not read or write were registered.

The Macon County Board of Registrars came under heavy federal pressure. For months there was no board at all because two men could not be found who would agree to serve, considering the circumstances.

When it did become operative, the courts ordered registration records opened to the inspection of federal agents.

Judge orders 64 registered

THE AGENTS CAME, the records were given. That board of registrars ultimately resigned, and was replaced by a new one early this year.

The new board has met only once when Judge Johnson ordered 64 Negroes registered immediately and directed also that discrimination against Negro registrants cease in the future.

Attorney General MacDonald Gallion protested that 19 of the 64 were not qualified for various reasons. Judge Johnson subsequently agreed to remove 14 of them from the list, at least temporarily. The remaining 50 have since been registered.

One of the three registrars, Cosby Johnson, resigned after Judge Johnson issued his order. The board continues to function now with two members, Chairman Frank Smith and ex-chairman Wheeler Dyson.

Smith refused any comment except to say that "the functions of the Macon County Board of Registrars will be carried out completely within the laws of the state of Alabama and the United States. There will be no discrimination." Dyson said he has no intention of resigning.

No agreement on what to do

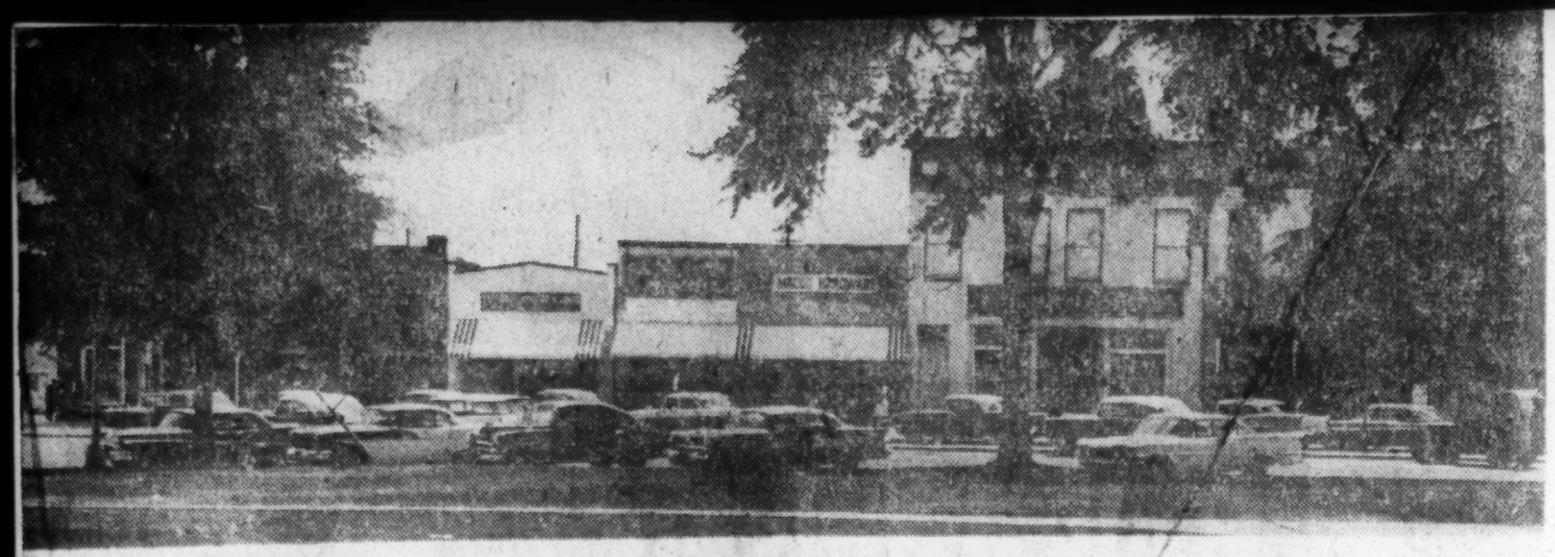
Adding to the uncertainty is an amendment to the Alabama Constitution; approved by voters in December, 1957, giving the Legislature power to abolish or rearrange the boundaries of the county as it sees fit.

A legislative study committee has held extensive hearings to determine possible courses of action; but, even in the county itself, there is no agreement of what such action should me.

There the matter stands today. This series will attempt to lay out and analyze for Alabamians the situation as it exists

happen tomorrow or next month or next year
Macon, much to the discomfort of its people,
testing ground.

In Macon County—the facts, the sentiments, the opinions and, this county could happ
more important perhaps, what it all means to the rest of thein other counties. Mac
state and, indeed, the rest of the South. happens to be the test
For, if Macon County today is unique, if in some respects it
is a case apart, it is not isolated. What is happening today in



DOWNTOWN TUSKEGEE IS NO DIFFERENT FROM ANY SMALL TOWN, U. S. A.
. . . But town and Macon County face an uncertain future

FEB.1961

U. S. Injunction "Permanently" Restrains Tuskegee From Use Of Gerrymander Against Negro Vote

Act Cutting Down Negro Voters Violates U.S. Law

MONTGOMERY, Ala. — U. S. District Judge Frank M. Johnson, Jr., ruled Friday the City of Tuskegee violated federal law by gerrymanding the town's boundaries to exclude Negroes from voting.

The judge issued an injunction permanently restraining the city from enforcing the act which excluded all but four or five qualified Negro voters from Tuskegee city limits.

The U. S. Supreme Court on last November 14 had unanimously directed the lower federal court to decide whether the city limits of Tuskegee were deliberately recarved to gerrymander Negroes out of their voting rights in the college community.

The ruling had been a break with precedent. In the past, the high court refrained from interference in the cases of state and local political boundary disputes on the grounds they led the federal courts into "political thickets."

All nine justices agreed, however, that Negroes in the Tuskegee area were entitled to be heard on their protest that the redrawing of the Tuskegee city boundaries was aimed at depriving all but a few of them of their constitutional voting rights.

In directing the Federal District Court at Montgomery, Ala., to hear the case, Associate Justice Felix Frankfurter declared:

"When a state exercises power wholly within the domain of state interest, it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right."

The Justice Department, siding with Tuskegee Negroes in the case, contended in 1957 that the Alabama law which allowed the redistricting of the city established a "racial ghetto."

The Negro plaintiffs said the new boundaries did not disturb the voting make-up of the white residents. The city, home of the famed Negro college, Tuskegee Institute, has 1,310 white residents of whom about 600 are voters.

Before the redistricting, Tuskegee numbered a Negro population of 5,307 with about 400 of their race voting. According to the suit, the Negro residential population was whittled to an estimate of 200 with only four or five eligible to vote. The excluded Negroes could vote in the county, but not in the city.

This followed Friday's ruling by Federal Judge Frank M. Johnson Jr. that the rearrangement of Tuskegee's city limits in 1957 was done purely to disenfranchise Negro voters, and therefore unconstitutional. He ordered officials not to enforce the 4-year-old statute.

Pending appeal, this means that Tuskegee reverts to its former square shape; that Tuskegee Institute again becomes part of the city, and that the population jumps overnight from 1750 to about 6600. Most of the increase would be Negroes.

Legislature may take over in Tuskegee

TUSKEGEE, Ala., Feb. 18 —Already armed with the power to abolish Macon County, the Alabama Legislature reportedly will study still another means of preventing Negroes from gaining political control in Tuskegee.

The Associated Press said it learned Saturday that a bill to abolish the Tuskegee city government will be introduced in the next session of the Legislature in May.

Series of setbacks

UNDER THE PROPOSED measure to abolish city government, major functions of the city would be turned over to appointed boards.

This would be the latest in a series of setbacks to Tuskegee Negroes, who since 1957 have looked to Charles C. Gomillion for leadership in their fight for civil rights.

Gomillion, a professor at Tuskegee Institute and president of the Tuskegee Civic Assn., was the first of 12 Negroes to sign his name to the suit charging that the boundary change was unconstitutional.

Since the time the city limits were redrawn, many Tuskegee Negroes have boycotted local merchants, forcing at least 12 out of business and once plunging the city into an economic depression.

Trade improves

MERCHANTS in the last 12 months have reported some increase in Negro business. But most of the personnel at Tuskegee Institute, and most of the 1500 Negro employes at the huge veterans hospital here still do not trade in Tuskegee.

There is precedent for a Legislature to appoint local officials. Former Rep. J. W. Brassell of Russell County sponsored a bill several years ago for the Legislature to appoint the county judge of Juvenile Court.

Rep. Grady Rogers of Macon County told The News earlier that the Supreme Court's recent condemnation of the boundary change "might have some bearing on future action in the Legislature."

Hearing Monday

PRESUMABLY HE was referring to abolition of the city government, although his remark at the time was interpreted as meaning that efforts would be made to exercise the law permitting abolition of the county.

With the change in the city limits declared unconstitutional, Tuskegee begins this week feeling the double sting of federal wrath.

A hearing on a peition for an injunction to halt alleged discrimination against Macon Negro voters opens in Opelika Monday. The government's suit names as defendants the chairman of the Macon Board of Registrars, a former member who resigned last month, and the state of Alabama.

This will be the second trial of the suit to force registration of Negro voters in Macon County, and the first to be tried under the strengthened 1960 Civil Rights Act.

Tuskegee voting law ruled unconstitutional

The Birmingham News . Birmingham Ala

MONTGOMERY, Ala., Feb. 18—A state law which virtually eliminated Negro voting in Tuskegee was ruled unconstitutional Friday by a federal judge.

Judge Frank M. Johnson Jr., who had the case under study for several weeks, earlier had refused to rule on its constitutionality.

The controversial law, under which the city limits of Tuskegee were redefined, placed all except about six qualified Negro voters outside the city.

Johnson, earlier, ruled that the rearrangement of a city's boundaries was no affair of his court.

Sat. 2-18-61

HOWEVER, THE U. S. Supreme Court said such a law becomes unconstitutional when it prohibits persons from exercising their right to vote.

p. 10

The high court returned the suit to Johnson's court, saying the federal judge had authority to rule on the case if he determined that the legislative act was intended to discriminate against Negroes.

This was the first time a gerrymandering case had been challenged before the high court.

The bill to redraw Tuskegee's city limits was introduced by former State Sen. Sam Engelhardt. Approval of the measure reduced Tuskegee's population from more than 6000 to about 1750, and left approximately 400 Negroes ineligible to vote in local elections.

Concurrently with Friday's ruling, Johnson issued an order prohibiting Tuskegee and Macon County officials from enforcing the act which rearranged the boundaries.

THE SUIT WHICH was the basis of Johnson's ruling was brought by Charles G. Gomillion, president of the Tuskegee Civic Assn., and 11 other Negroes.

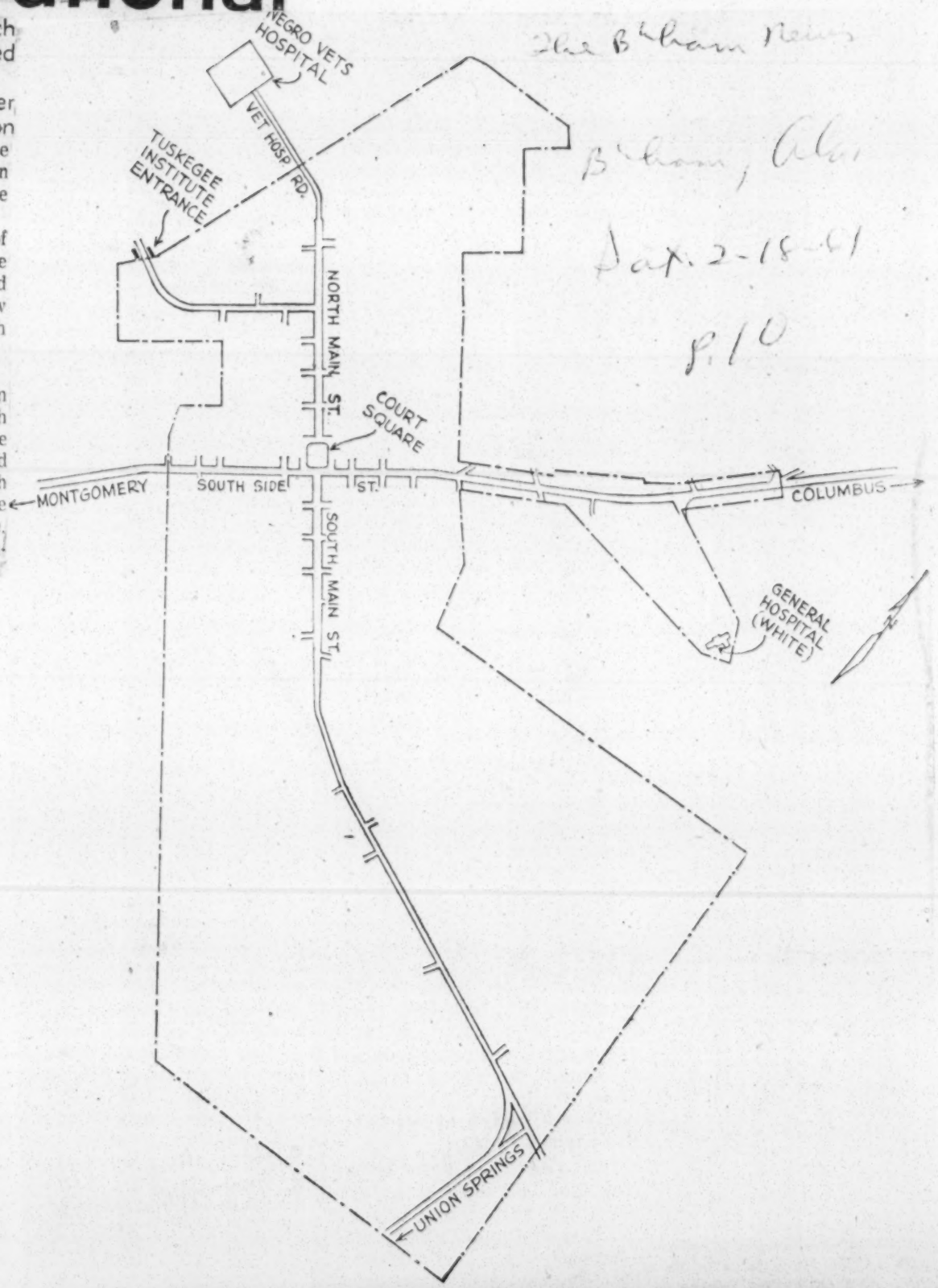
Gomillion, a professor at Tuskegee Institute, declined to comment on Johnson's ruling.

Mayor Howard Rutherford of Tuskegee said he did not know what legal steps might follow in implementing Johnson's ruling, or in trying to fight it further in the courts.

Rutherford said that shrinking the city to its present size did not affect city services to the neighborhoods excluded. Police and fire protection, and garbage collection, are still maintained in the areas formerly within the city, he said.

Tuskegee was in the shape of a square before the limits were drawn in. The Negroes charged in their suit that the city now resembles a "sea dragon" with 28 sides.

IN A 32 PAGE opinion written by Justice Frankfurter, the high tribunal called the Tuskegee case "surgery by legislature" and said it violated the Constitution's 15th Amendment guaranteeing the right to vote regardless of race. Condemnation of the act was unanimous.



"SEA DRAGON" TUSKEGEE CITY LIMITS SAID UNCONSTITUTIONAL
. . . Judge holds boundaries redrawn to prevent Negro voting

The Birmingham News
Birmingham, Ala.
Sat. 2-18-61
p. 10

Lift Bars Immediately, Macon Registrars Told

Johnson Sets Blueprint For Negro Voting Hike

The Montgomery Advertiser
P.1 Dat 3-18-61

By ARTHUR OSGOODE

U. S. District Judge Frank M. Johnson Jr. Friday ordered that Macon County voter registrars register all qualified Negroes.

Montgomery, Ala.

He also set up the pattern under which Macon registrars are to speed up the registration of Negroes.

But he did not appoint a federal referee to see that the board gives equal consideration to Negro voter applicants.

However, Johnson made it plain in an opinion accompanying the order, that he is prepared to take this step if his decree is ignored.

"This court, for the time being, is going to permit the registration of applicants in Macon County to be handled by the state officials that are charged with that responsibility," he said.

PLACE 64 NAMES

Among the requirements set out in his decree were the following:

1. The placing of the names of 64 qualified Negroes on the voter rolls immediately, with a report reflecting compliance with this order within 15 days;

2. Meetings by the board at least two days each month in Beat 1, which includes the city of Tuskegee, accepting applications of all applicants;

3. Taking of applications in the order in which applicants appear at the office, with successive numbers given applicants as they appear and according to which applicants will be taken;

PROMINENT PLACE

4. The posting in a prominent place in the courthouse and on the door of the registrar's office of the number of the first applicant to be called at the next meeting of the board;

5. The restriction of passages of the U. S. Constitution which applicants may be required to read and write to 50 words or less;

6. Provisions that at least six applicants at once be given the examination at the same time;

7. A report on the fifth day of each month on progress toward full compliance with the order to end discimination against qualified Negro voter applicants.

In his opinion, Johnson said the evidence during a four-day hearing on alleged discrimination against Negroes was so clear as to call for not just a prohibitory but a mandatory decree.

At the hearing, held in Opelika last month, Justice Department attorneys presented evidence to show that the board employed tactics designed to prevent any large-scale Negro registration.

AMENDED ACT

Johnson observed that the amended 1957 Civil Rights Act requires "fair and reasonable" registration procedures. He further observed that the Tuskegee beat, which has 60 per cent of the county population, is 75 per cent Negro of whom only 10 per cent are registered as voters.

"The evidence in this case is overwhelmingly to the effect that the State of Alabama, acting through its agent, including former members of the Board of Registrars of Macon County, has deliberately engaged in acts and practices designed to discriminate against qualified Negroes in their efforts to register to vote," said the judge.

He said the evidence showed that the board had not functioned for long periods, that it employed a double standard for Negro and white applicants, and saw white applicants first, though Negroes had been waiting longer to apply.

"Such acts and practices reached a peak by the board's 'slowdown' tactics during 1960," said Johnson.

The Montgomery Advertiser

He noted in his opinion that a large number of the Negroes who sought to apply were high school or college graduates.

And he said that only "puny excuses" were offered to explain the fact that only 50 voter applications were completed before the board in 1960.

Dat 3-18-61

WHITE APPLICANTS

During the testimony in Opelika, government attorneys presented evidence to show that white applicants were aided in filling out their forms, while Negroes were rejected for minor technical errors.

Johnson also observed that evidence showed that some Negroes were registered, but were not given notice of the fact.

Besides taking pains to see that the terms of his decree were carried out, Johnson seemed to anticipate possible resignations from the board of registrars and abolition of Macon county by legislative action.

FUNCTIONING BOARD

He decreed that state authorities must keep a "full and regularly functioning board" operating in the county.

The alternative is the appointment of a federal referee.

In connection with the possibility that the Legislature might abolish the county, he provided that the decree might be extended to other counties.

A Constitutional amendment ratified in 1956 by Alabama voters provides for abolition of the county, which would be divided among neighboring counties.

Purpose of this action would be the prevention of the election of Negroes to the Legislature and to county offices.

FEDERAL CONTROL

Johnson brushed aside the possible criticism that he was substituting federal for state control in voter registration.

He said that, if registrars act fairly, they "will have regained for Macon County and for the State of Alabama the integrity that the evidence in this case makes so abundantly clear has been lost in the field of voting rights."

His order set a 120-day deadline for registration applications by approximately 400 Negro applicants on a waiting list.

And he provided that they cannot be turned down if their examinations are at least as good as that of the "least qualified white applicant" who is registered.

U.S. Ruling Draws Blast Of Governor

The Montgomery Advertiser
P. 1 & at. 3-18-61

A federal court order to register prospective Negro voters in Macon County brought dire predictions Friday from state authorities.

Montgomery, Ala.

Gov. John Patterson branded the ruling by U.S. Dist. Judge Frank M. Johnson Jr. as an "unwarranted and unconstitutional encroachment . . . upon the powers of the states."

He predicted the same rule could be applied to other states and that the entire nation "will live to regret" it.

MASS EXODUS

State Highway Director Sam Engelhardt, a Macon County plantation owner and former executive secretary of the pro-segregation Citizens Councils in Alabama, said the decision could mean a mass exodus of white residents from the county.

Or, he added, they could "submit to Negro rule and await a situation comparable to the Congo, with local Lumumbas coming forward in ever-increasing numbers."

Atty. Gen. MacDonald Gallion, whose office resisted the Justice Department suit which brought Johnson's ruling, was out of the city. Gallion is expected to appeal to higher courts.

Efforts by The Advertiser to speak with the registrars met with these results: Cosby Johnson declined comment; Wheeler Dyson would not come to the phone when he learned a Montgomery party was on the line; Johnson said Frank Smith had no phone. None was listed in that name.

Engelhardt, a former state senator, is the author of a constitutional amendment ratified by the voters in 1956 to empower the legislature to abolish Macon County if necessary to keep Negroes from gaining political control.

The Montgomery Advertiser

A special legislative committee is studying Macon County problems, and Engelhardt predicted it will "come up with something that will keep down unheard-of trouble caused by this court decree."

Dat. 3-18-61

Patterson, one of three state officials who appoint voter registrars, said it is already difficult to get members to serve and now it will be "nearly impossible."

TAKE CONTROL

The governor accused the federal government of trying to take control of local government away from white residents "and deliver the reigns of government to the Negroes by forced mass registration of Negro voters."

And, he charged, the federal court apparently intends to force registrars to resign and then "run in its federal registrars and mass register the Negroes themselves."

Tuskegee Area Faces Exodus Of Whites

MONTGOMERY, Ala. (UPI) — Macon County faces probable extinction before the coming legislature in the wake of a U. S. district court ruling ordering an end to discrimination against Negro voter applicants.

A constitutional amendment introduced in the 1957 legislature and subsequently passed empowered the legislature to pass by a simple majority a bill abolishing the county and turning over its territories, citizens and properties to adjoining counties.

The committee has been meeting here for the past two weeks, and Friday District Judge Frank M. Johnson handed down his anti-discrimination ruling.

The surrounding counties expressed fear over the number of Negroes which would be added to their own county populations in the absorption. Negroes in Macon County, home of the famed Tuskegee Institute, outnumber whites five to one.

Former Macon County Sen. Sam Engelhardt, now state highway director, said Johnson's ruling would have the effect of setting up another "Congo" situation in Alabama.

He said the results would be "a mass exodus from Macon County of most whites", and submission of the county to Negro rule to "await a situation comparable to the Congo with local Lumumbas coming forward in ever increasing numbers."

Engelhardt said he had the situation in mind when he introduced the bill to abolish the county, and felt sure the men on the study committee would "keep down unheard of troubles caused by this court decree."

Gov. John Patterson accused Johnson of attempting to turn over political control of Alabama counties to Negroes.

Patterson argued that Johnson should have directed the plaintiffs in the case to use state courts to seek redress if they felt they had been deprived of the right to register.

"In rendering this decision it appears the federal judge has rewritten the state registration law to suit his own fancy. He has brushed aside our state laws and state Constitution," Patterson said.

'Bama Eyes New Plan To Kill Macon Voting

MONTGOMERY, Ala. — With Federal District Judge Frank M. Johnson Jr. due to hand down his decision of charges of racial discrimination by Macon County registrars at Tuskegee at any moment now, the joint Alabama Senate-House Abolition Committee was hard at work on plans to abolish Macon County so as to reduce the number of Negro voters.

Negroes outnumber whites five-to-one in Macon County, and the joint committee was created by a constitutional amendment to do away with Macon altogether or reduce it in size or to take other measures to keep Negroes from taking political control.

The committee met here last week to study plans on how to accomplish its mission. The original proposal was to split Macon County up and give various sections of it to neighboring counties.

Meanwhile, State Senator Lawrence K. Andrews of Bullock County urged passage of a measure that would have all prospective new voters graded by an electronic machine. He says the threat of court action in the future would be minimized if all applications were processed mechanically.

He also said he felt most voters in Macon County are already registered, so the whites would suffer very little damage under this system.

Justice Dept. Bares Facts

Tuskegee Vote Bias Proved in Court

(Courier Press Service)

OPELIKA, Ala. — With pinpointed precision just as in the Terrell County voter registration suit last year, the Department of Justice laid bare to U. S. District Judge Frank M. Johnson Jr., stark evidence to support its charge that the Macon County Board of Registrars has discriminated against Negro applicants in Tuskegee.

Judge Johnson, who just last week held the Tuskegee gerrymander act illegal and voided it, presided over this week-long case. U. S. Atty. Ben Brooks represented the Justice Department, seeking an injunction to restrain the Macon registrars from discriminating against Negroes.

Several times members of the board have resigned rather than meet and register Negroes.

■

SOME OF them testified. One was former chief registrar E. F. Livingston, who resigned after being called before the Civil Rights Commission in 1958.

He denied any discrimination but admitted he used segregated areas in which to register Negroes.

A white woman who made no effort to conceal the fact that she was fully illiterate testified that a voter registrar came to her home to "sign me up." Several Negroes with high school diplomas testified that they tried repeatedly and unsuccessfully—to register.

■

REGISTRAR Wheeler Dyson denied knowingly making it harder for Negroes to register than whites. They all looked alike to me," he said.

Officials of the Tuskegee Civic Association told how certain registrars had brought white applicants with them to the Macon County courthouse on registration days and set up a "numbers" system whereby applicants would be registered in turn.

They showed it would take months to reach the Negro applicants, they said.

The case may or may not be concluded this week. The state began putting on its witnesses on Thursday.

Macon County's New Electorate

THE aspects of the federal pugilism in Macon County are many and every single one is disagreeable. Macon has a new electorate.

The problem of Negro voting in Macon County is not typical of Alabama counties, for Macon has a Negro population of about 83%. A few other counties such as Wilcox and Lowndes have comparable proportions, but even so Macon remains unique because of Tuskegee Institute and the Veterans Hospital. Their presence embodies a great concentration of assertive Negroes entirely qualified under the laws of Alabama to vote.

In regarding the apprehensions and past practices of the ruling white minority those living in other counties must at the least credit Macon with a human way in the situation. The whites, some of whose forbears made possible the establishment of Tuskegee Institute, fear — and not without logic—a future Negro government.

Thus they sowed to the wind and now reap the whirlwind.

This is a distinctly different issue from that of mixing the schools. School mixing was against the law of Alabama until the federals intervened. This is a matter of the right to vote and — not the federals — but the *law of the State of Alabama* provides that qualified persons shall be registered.

The federal court has ruled that the law of Alabama was being systematically broken in Macon.

Evidently Negro enfranchisement is now to come at a bound through federal supremacy. When Negroes have the voting majority, it seems certain that they will desire that some, perhaps many, Negroes hold office.

But even if this condition had not arrived at a bound by federal action, the reality is that it would have come to pass sooner or later. Alabama law provides that qualified Negroes are entitled to vote and that right could not have been withheld indefinitely in any event.

White Alabamians are on sound ground in evading to the limit of their ingenuity the disaster of general race mixing in the common schools. This would be damaging for both races. But withholding the right to vote from a person qualified *under Alabama law* is not justifiable.

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In Macon, Bullock—

55 Negroes file voter applications

BY JAMES E. JACOBSON AND TRUDY CARGILE
News staff writers

Fifty-five Negroes completed voter registration applications in Macon and Bullock Counties yesterday under a federal court order to place all qualified Negroes on the voting rolls.

Forty Negroes filled out application forms in Tuskegee, county seat of Macon, and 15 in Union Springs, county seat of Bullock.

EACH REGISTRATION BOARD later will either approve or reject each application individually.

At the rate at which Macon applicants were being processed, C. G. Gomillion, president of the Tuskegee Civic Association, said, "They're going to have to do better than that to meet the deadline."

The old waiting list was ordered processed within 120 days.

Gomillion also said "there seems to be, if reports are correct, a considerable waste of time" during the board proceedings in the manner in which vouching witnesses are handled.

He said the board member sits and waits for the supporting witness to fill out his form instead of going on with other business, such as administering the oath to someone else. "It would seem that if they wanted to speed things up, they could do it this way," Gomillion said.

In Tuskegee, 34 of the 40 Negroes filled out the application forms completely yesterday. Six others completed forms they had partially finished at the board's last meeting two weeks ago. In addition ,four more partially finished the form yesterday and will complete it at the next meeting.

At the last meeting of the Macon board, 26 Negroes completed applications in addition to the six who were held over until yesterday.

At least 50 other Negroes whom District Judge Frank M. Johnson Jr. ordered registered immediately have been placed on the voter rolls.

An estimated four or five others whose registration was questioned on various brounds have also been registered, according to William P. Mitchell, executive secretary of the Tuskegee Civic Association and chairman of its voter franchise committee.

THOSE PLUS THE ONES completing or at least beginning applications at the board's last two meetings would mean an addition of approximately 125 Negroes to Macon County's voting lists if all applicants were passed.

There were an estimated 1135 registered Negro voters in the county previously, as compared to an estimated 2800 white voters.

Besides those completing applications yesterday, 41 other Macon Negroes were placed on the waiting list.

Chairman Frank Smith and board member Wheeler Dyson were unavailable for comment on the proceedings. Dyson last week said the board would take applications "just like Judge Johnson told us to."

IN UNION SPRINGS, more than three dozen Negroes signed a waiting list. Taking applicants in the order signed, registrars were permitting five at a time inside an anteroom to fill out applications. The registrars worked behind closed doors.

Board members J. P. Thompkins, K. S. Yon Sr. and J. W. Guthrie Jr. are under instructions by Judge Johnson to report to his court the number of applications received, approved and other information concerning applications during the next three months.

Among Negroes who signed the Bullock waiting list were several who testified in Federal District Court in Montgomery last week that they had been turned down on previous applications. Some others, filled out applications for the first time.

Tuskegee May Get Federal Registrar

Justice Department Asked For Nominations

From The Commercial Appeal
Washington Bureau

WASHINGTON, April 4.—A Federal voting registrar may be appointed soon to supervise the registration of Negro voters in Macon County, Ala.

The 1960 Civil Rights Act authorized Federal judges to appoint voting registrars for such purposes but so far no Federal judge has used the authority.

It was learned here Tuesday that Federal Judge Frank M. Johnson has requested the Justice Department to suggest 12 persons who might be considered for the appointment and that the department has complied.

All of the 12 prospects, as provided by the 1950 law, live in Judge Johnson's judicial district.

In selecting the 12, it was learned, the Justice Department ruled out outspoken segregationists and persons who might refuse to accept the assignment.

Judge Johnson presumably would appoint only one from the list of 12, though he could name more than one voting registrar if he decides the job required it.

The law provides that a voting referee will serve, in effect, as an agent of the Federal judge in compelling the registration of qualified Negroes as voters and in insuring that they are allowed to vote.

Tuskegee is the county seat of Macon County. The Justice Department first initiated action in the case Feb. 6, 1959. At that time the department said 97 per cent of the whites of voting age, but only eight per cent of the Negroes, were registered.



News staff photo—Norman Dean

MACON NEGROES WAIT TURN TO APPLY
. . . Forty-one completed forms in Tuskegee



EARLY APPLICANTS IN UNION SPRINGS
. . . Sallie B. Phillips, left, and Mary E. Thomas

Judge Slaps Secrecy Lid On Vote Data

U.S. District Judge Frank M. Johnson Jr. plans to keep reports from Macon and Bullock county registrars, reporting on registration of Negroes, strictly to himself.

He had required the reports in his orders for a speed-up of registration of qualified Negroes in Macon County and for an end to a Bullock County rule that allowed voters to vouch for only two voter applicants a year.

He explained Wednesday that:

"Publication would, in my opinion, have no effect other than to thwart the order of the court."

The purposes of the reports, he said, are to indicate to him whether any further proceedings will be necessary in either of the two counties, where the U.S. Department of Justice brought suits on behalf of Negroes who claimed discriminaion.

Johnson could appoint federal referees to handle the registration of qualified Negroes.

But he also said Wednesday that: "If and when it is determined (that further proceedings will be necessary) the pertinent reports on which the determination is based will be filed," making them available for inspection.

He further observed:

"It appears at this point that the registrars in both these counties are proceeding in good faith."

For this reason, he said, he saw "no need of subjecting them to political and community pressure."

Reports of both the State of Alabama and the registrars were due Wednesday, the original order in the Macon case calling for the report from the state to go directly to the judge, but the report from the registrars to be filed in the office of the court clerk.

But Johnson said Wednesday he had amended the order to provide that both reports now go directly to him.

And he rapped publicity aris-

Negroes Might Seek Tuskegee Public Office

The Pittsburgh Courier
Pittsburgh, Pa.
Sat. 4-1-61

By TREZZVANT W. ANDERSON

TUSKEGEE, Ala.—On the heels of Federal District Judge Frank M. Johnson's historic ruling ordering Macon County registrars to register all qualified Negroes in that county immediately, have come indications that Tuskegee Negroes are likely to seek political posts on the Tuskegee City Council and the Macon County Board of Education.

Dr. Charles G. Gomillion, president of the Tuskegee Civic Association, gave the hint in commenting on Judge Johnson's decision.

Dr. Gomillion said there would not likely be a mass Negro vote in the county simply on a basis of race pride, that is, voting for a Negro just because he is a Negro. Dr. Gomillion, long-time leader of the Tuskegee fight for first class citizenship, said Negro voters would vote for "qualified" candidates, be they Negro or white.

■

HOWEVER, he did say he believed that if Negroes offered for political posts as a result of increased Negro registration and voting strength, they would most likely seek posts on the city council and the board of education.

He also said there might be a "bloc" vote by Negroes on school board posts if a Negro ran because the Negro schools are segregated and a large majority of school children in Macon County are Negroes.

Dr. Gomillion said he felt Negro voters would support white candidates in various races, when they felt that such support was justified.

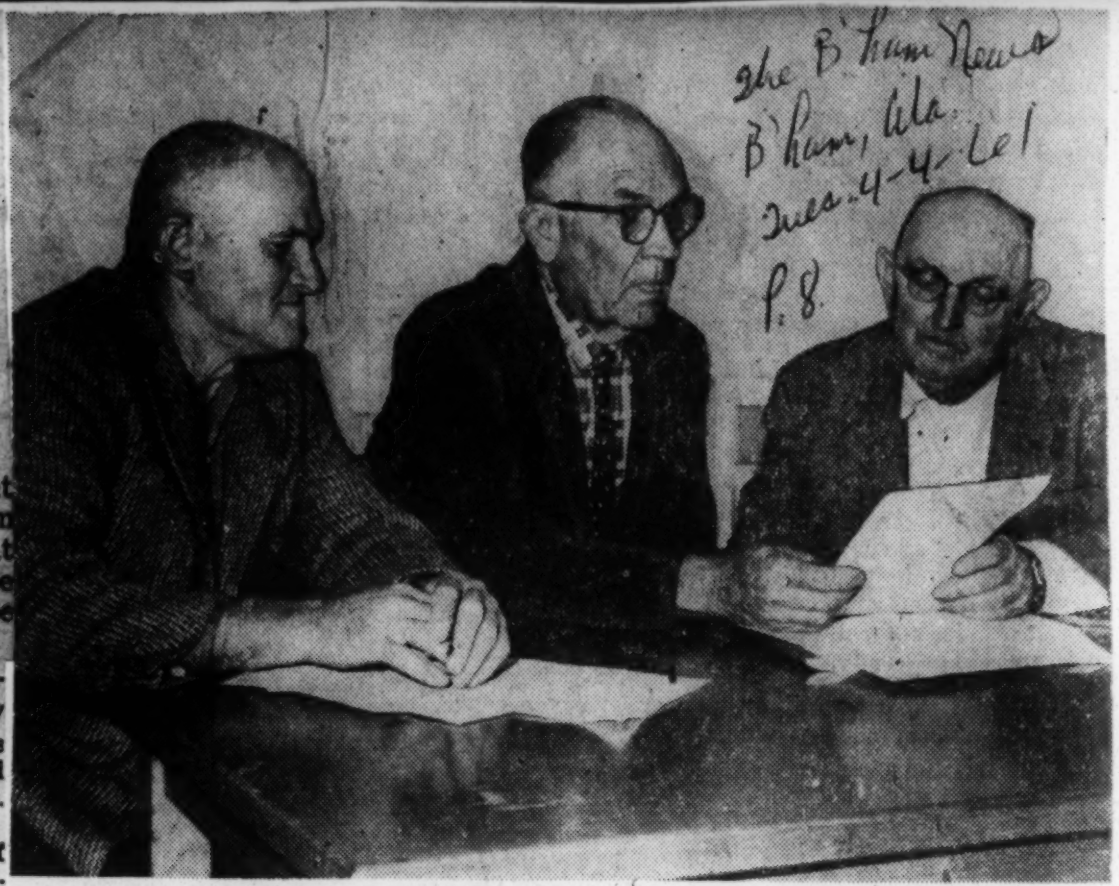
The comment was considered important because the chief fear in Macon County among whites has been that if Negroes get the vote, they will take over the county politically, running for such jobs as sheriff, judge, mayor and other high posts.

SUBSEQUENTLY, WHITE political leaders have stepped up efforts at having Macon County abolished and portions of it attached to neighboring counties.

Success of this move seems unlikely since it will be obviously for the purpose of affecting the Tuskegee Negro vote and would be declared illegal by the U. S. Supreme Court.

Meanwhile, Cosby Johnson (of Tuskegee), one of the three Macon registrars, has submitted his resignation to Gov. John Patterson, but the board still can function, since under Alabama law, two of the three members can perform the duties. Johnson was appointed Jan. 30, of this year, along with Chairman Frank Smith and Sheeler Dyson. Governor Paterson has charged it is impossible to get whites to serve as registrars in Macon County, since the Federal action.

Judge Johnson ordered the board, immediately, to put 64 Negroes on the lists and, in the future, to accept all who were qualified, according to law.



The B'ham News
B'ham, Ala.
Tues. 4-4-61
P. 8.

News staff photo—Trudy Cargile

BULLOCK BOARD BEGINS PROESSING NEW APPLICATIONS
From left, Guthrie, Yon and Thompkins

Registrar Pace Called Too Slow

The Commercial Appeal
Memphis, Tenn.
Tues. 4-4-61
P. 15

Negro Spokesman Cricitizes Macon Board's Action On Judge's Order

By United Press International

TUSKEGEE, Ala., April 3. — A Negro spokesman said Monday Macon County registrars would have to step up their pace if they plan to register the backlog of prospective Negro voters during the next year.

William P. Mitchell, executive director of the Tuskegee Civic Association made the comment [illegible] registration process [illegible] at the county Courthouse here.

Registration boards in Macon and Bullock resumed work Monday in the wake of orders from United States Middle District Judge Frank M. Johnson Jr. to register all qualified Negroes.

Points To Backlog

Mitchell said the two-member Macon board allowed "about 20 Negro applicants" to begin registering before noon. He said "less than half of the 20 completed filling out their forms." He said each prospect would fill out half of the questionnaire before one registrar and the second half before the other.

"There is a current backlog of about 385 Negro applicants," Mitchell said. "If the board plans to register all of them—as ordered by the Federal Court—the board members certainly will have to step up their pace."

This is the first Monday in April, and registrars throughout the state are required by law to meet on the first and third Mondays of each month.

The Bullock County Board, promising to register all qualified applicants, white or Negro, escaped a sweeping court injunction such as the one issued in Macon by Judge John [illegible].

Voucher Limit Rejected

Judge Johnson ordered the Bullock registrars to abandon a two-a-year limit on the number of prospective voters each supporting witness can vouch for. Vouchers are required to verify applicants' character and length of residence in the county and precinct.

Although he withheld further action, the Federal judge made it clear he may grant an injunction if board members fail to live up to their promise.

In Macon, meanwhile, the two functioning members of that board notified Judge Johnson officially that they have registered the 50 Negroes he ordered put on the voting rolls last month.

The judge at first directed the board to register 64 Negroes, but later dropped 14 names from the list, temporarily at least, when the registrars told him those Negroes had moved out of the county or were disqualified by law from voting.

Besides ordering the immediate registration of that group of Negroes, Judge Johnson signed an order prohibiting the registrars in Macon from turning down any qualified member of that race in the future.

He instructed board members at Tuskegee to give priority to some 385 Negro applicants whose names were on a waiting list but who had not been given a chance to apply formally for registration.

Tuskegee dateline—

Opinions vary as to whites losing control

At the root of Macon County's racial controversy has been the issue of voting rights. Because of the existence in the county of a larger than average number of well educated, intelligent Negroes, the pressure on the Macon County Board of Registrars has been even greater than that elsewhere. This subject is discussed in today's article, the ninth in a series.

BY JAMES E. JACOBSON, News staff writer

Opinions vary among whites in Macon County as to the imminence of any threat of losing political control to Negroes. Some feel that the day is not far off. Others think that if it comes at all it will be a good way in the future.

The prospect of Negroes outnumbering whites at the polls would seem nearer in Tuskegee itself than throughout the county as a whole. Relative voting strength in the county was estimated at 2800-1100 before more Negroes were registered under federal court order in the past few weeks. In the city itself, however, the difference usually cited was something in the neighborhood of 600-420.

A Tuskegee lawyer disagreed with that estimate. He said that "in the last election we cast 650 ballots, and as far as I know not one Negro voted. And you have to figure that not all the registered voters actually went to the polls, so the number is probably around 700 or so." He estimated Negro vote strength at 200 to 250.

He also pointed out that the number of whites in the county is increasing while the number of Negroes is dropping. In 1950 there were 25,429 Negroes and 5132 whites in the county, a ratio of 5-to-1. In 1960 the Negro population had dropped more than 4000 to 31,185, while the white census showed a gain of 400 to 5532, according to one source. That brings the ratio down to about 4-to-1.



JACOBSON

Those are the figures given on a mimeographed "Macon County Population and Vote Data" sheet obtained in the county from a source who asked not to be identified since the information on the paper was supposed to be "confidential."

It said that Macon County is "becoming whiter" due to "mechanization, cattle, fewer row crops."

It also said that for various reasons—illiteracy, lack of legal residence, age, etc.—many of the 21,000-plus Negroes would be ineligible to vote. It figured the ultimate potential vote, including those already registered, at 3100-3200 white, 3500-4000 Negroes.

The fact sheet also noted that "all qualified Negro voters of the Tuskegee Veterans Administration and the Tuskegee Institute (are) included in this estimate. There is no reason to believe that the cotton field Negroes would be registered to vote."

One white Tuskegeean, asked specifically about the possibility that many Negroes outside the hospital-Institute communities might not meet eligibility requirements, said:

Many concede discrimination

"UNFORTUNATELY, THERE ARE a lot of unqualified whites on the rolls. As long as you keep registering unqualified whites, you're going to have to register unqualified Negroes. The standards are just going to have to be set high enough to eliminate everybody who's not qualified, white or colored."

Many whites concede that there has been discrimination against Negroes desiring to register in the past, but one of them said that there are "a lot of things involved" that the outsider will never know. He said that Negroes were being registered freely until whites discovered, some years ago, that a tentative Negro slate had already been selected for city government positions.

"They had the mayor and the probate judge and all already picked out," he said. He went on to say that it was after this discovery that Negroes began to find registration more difficult.

The Civil Rights Commission met in Montgomery in 1958 to hear complaints about discrimination by the Macon registrars. It was at the time of these meetings that the board of registrars broke up. One member had died and two—Grady Rogers, now state representative from the county, and E. P. Livingston, brother of Alabama Supreme Court Chief Justice J. Ed Livingston—resigned.

In 1959, the federal government asked an injunction against the Macon County registrars and the state of Alabama to force registration of Negroes. The state contended that the government couldn't sue the registrars who had resigned before the suit was brought, and that the 1957 Civil Rights act didn't provide for suits against the states.

Alabama won its case in district court and the Fifth Circuit Court of Appeals in New Orleans, and the federal government untimately carried its case to the U. S. Supreme Court. On the eve of final arguments, the U. S. agreed to drop Rogers and Livingston as defendants, leaving only the question of whether the state of Alabama could be sued.

In May, 1960, the court ruled that the new 1960 Civil Rights Act could be applied to the 1957 suit and sent it back to the federal district court in Montgomery for reconsideration.

Judge orders Negroes registered

IT WAS ABOUT THIS time that Wheeler Dyson and Charles Donald Scott agreed to accept appointment as registrars, giving Macon its first functioning board since December, 1958. In November Dyson and Scott surrendered their records to federal agents, under court order, and early this year Judge Frank M. Johnson held hearings in Opelika.

In the meantime, Dyson and Scott had resigned, and a new board consisting of Frank Smith as chairman, Dyson, and Cosby Johnson was named. Judge Johnson on March 17 ordered them to register 64 Negroes immediately, to give 400 prospective registrants on a waiting list first priority for future attention, and to cease discrimination in the future.

Registrar Johnson immediately resigned. Several of the 64 Negroes on Judge Johnson's list were ultimately deleted, but more than 50 of them were registered. More than 50 others have since completed applications.

Chairman Frank Smith refused to make any comment about board proceedings except to say that "the functions of the Macon County Board of Registrars will be carried out completely within the laws of the state of Alabama and the United States. There will be no discrimination."

Dyson denied that there had been any in the past while he was serving on the board.

William P. Mitchell, chairman of the Tuskegee Civic Assn.'s voter franchise committee, said that the board which Dyson previously headed spent most of its time in rural precincts away from the sections where the largest number of Negroes were located. (1959 Alabama laws gave the board the power to spend 20 working days in various precincts away from the court house and 12 more days on clerical work instead of accepting applications.)

Never so few registered

MITCHELL SAID THAT during the six months that the Dyson-headed board functioned only 10 Negroes were registered as against at least 33 whites.

"We never had that few registered at any time when the board was functioning before," he said.

Dyson said that during the period Mitchell was talking about "we passed every one we took an application from who passed the test. We took more applications than that, but some failed and the federal court took the records before some were acted on."

Dr. C. G. Gomillion, president of the TCA, called the practices of the board of registrars "simply disgraceful."

He charged that "the ruling class white South, particularly in Macon County, broke faith with Booker T. Washington. The old saying was that the Negro must 'earn the respect of the white man' and then he would be treated as an American citizen. This hasn't happened. If this county doesn't have Negroes able to participate (in community affairs) at minimum levels, what county in the South has?"

A white resident said "there was probably some discrimination (in the past). They even have discrimination among Negroes themselves. You have that in any soceity. Any human being who can think prefers something over something else."

Federal government watching

ANOTHER SAID THAT he thinks the new board is "going to make an honest effort, a good faith effort, to comply with registration procedures."

Whatever happens, it's certain that the federal government will have a close eye on it. Judge Johnson in his March decision refused to appoint a federal voter referee—which h is empowered to do under the 1960 Civil Rights Act—but he made it clear that that step can be taken later.

The issue thus is joined in a central Alabama county, but it is not isolated to that one area.

"This has ramifications for the whole state," a white lawyer observed. "Macon County Negroes are different, but our problems are those of a lot of other counties in the Black Belt."

He might have added that the problems are not unique even to Alabama alone.

Dateline: Tuskegee—

Conflicting aspirations key to Macon

Who are some of the people involved in the Macon County voting rights controversy? What are their opinions, what do they think of the situation? Here are thumbnail sketches of six people directly or indirectly involved. They are not necessarily representative of all thought in their particular communities, nor are they the only ones whose thoughts could usefully be analyzed. They do, however, offer a cross-section of opinion as it affects the current atmosphere. This is the eighth article in a series.

BY JAMES E. JACOBSON, News staff writer

It is sometimes easy to fall into the trap, in matters charged with as much emotion as that which permeates Macon County today, to forget that basically, beyond everything else, what is involved are people.

The name of Dr. C. G. Gomillion, for example, crops up frequently in news stories datelined Tuskegee. Most people know by now that he is on the faculty of Tuskegee Institute (chairman of the division of social sciences and assistant professor of sociology) and that he is president of the Tuskegee Civic Assn., the Negro organization which has been in the van of the drive for voting rights.



JACOBSON

Dr. Gomillion is a native South Carolinian with an A.B. degree from Paine College in Augusta, Ga., and a Ph.D. from Ohio State University. He has been at Tuskegee Institute for 34 years, during which time he has also served as dean of education and dean of students in addition to his teaching duties.

"One thing irritates me in the Deep South," he said in an interview—adding quickly "And I intend to stay. It's my home. I have no intention of leaving voluntarily. I'm going to try and stay and help the South become what I think it's capable of becoming. I'm vain enough to believe I can make a contribution.



GOMILLION

"One thing that irritates me though," he began again, "is to hear folks accuse those of us interested in extending democracy of being agitators influenced by outsiders, or to have somebody ask me, 'How did you get this way.'

Born in South Carolina

"I WAS BORN IN SOUTH CAROLINA. My first eight years of education consisted of 26 months in elementary school, which is about all that was available to Negroes. During that time, in the upper grades, I read the same civics texts as white children, and I believed what I read. That's how I 'got this way.' It seemed to mean that persons should practice what I read. It irks me for whites to express surprise that Negroes want to practice what they learn. They expect their children to apply it, why not us?"

On specific complaints, Dr. Gomillion said that "not one single Negro has ever worked at the polls, for example, out of 108 poll workers. Another example, not long ago a county committee on aging was formed. It had 12 people on it, and not one of them was a Negro. Now, it's unrealistic to believe that in a county with 80 per cent Negro population none of them are aging."

"We don't imply that all Negroes are qualified for participation at the various levels," he said at another point. "We know that there are limitations, because they have had limited opportunity. But some faculty members take the view that those able to contribute ought not be deprived of that opportunity simply because they are Negroes. The criterion should be mainly ability.

ASKED ABOUT REPORTS that he was once cited by the House Un-American Activities committee, Gomillion said, "I was a member of the Southern Negro Youth Congress in the late '30s and '40s. That group was later listed as a Communist front, and I had previously been affiliated with it. That's probably what they were talking about." He also confirmed that he is presently a member of the board of directors of the controversial Highlander Folk School at Mounteagle, Tenn.

He denied, however, that his shift from dean of students to chairman of the division of social studies was any "demotion" for his publicized out-of-school activities. "Some people who like administrative work might consider it a demotion," he said, "but my major interest is teaching and research. I stayed in administration only because the presidents allowed me to function as a citizen without restriction."

Another familiar name to followers of the Macon County situation is Wheeler Dyson, employe of a farm equipment company and a member of the present board of registrars. He was chairman of the previous one. Frank Smith is chairman of the present board but Dyson, who is about the same distance from dead center on one side as Gomillion is on the other, is better known.



DYSON

Although he makes no bones about his feelings on the matter, he and Smith have moved to comply with federal court orders in registering and accepting applications from prospective Negro voters.

He denies, however, that there has been any discrimination in the past as far as he was directly concerned. "While I was on the board, there has not been any discrimination," he said. "We've treated them all the same. Before I was on the board, I don't know."

DYSON IS ONE OF MANY IN Macon County who believe that their problems have been compounded by the publicity they have received. "If the newspapers and TV and all would just leave us alone," he said, "I think we'd be all right. I honestly believe that."

He also expressed doubt about the effectiveness of the Negro boycott of white merchants. "Every time I go to town," he said, "I can't find a place to park. I think we have a better, stronger town now than before the boycott ever happened.

Dyson concluded his comments with the observation that "I don't see why we can't all get along together here. If a man doesn't like the town he lives in, he should move. If I lived somewhere and was dissatisfied, I'd find somewhere else to go."

One of the persons who have been more active than most in fostering the pressure which has brought federal attention to Macon County's voter registration practices is William P. Mitchell, a physical therapy assistant at the big Veteran's Administration Hospital outside Tuskegee. He himself is not a resident of the city.

Mitchell came from Bessemer to attend Tuskegee Institute in 1931, and since 1935 he has made his residence in Macon County. Activity in the voting rights field is nothing new to him. **He was** the plaintiff in a case against the Macon County registrars which began in 1943. "After three years of litigation," he said, "all the way up to the Supreme Court and back, they finally decided that I'd been registered all along and all I needed to do was pay my poll tax."



MITCHELL

He has been active in the Tuskegee Civic Assn. for 20 years and is presently executive secretary and chairman of the group's voter franchise committee. Part of the TCA's role in the voting field, he said, is to conduct voter registration clinics in which "we go over the form with prospective registrants."

MITCHELL SAID THE TCA WAS and still is the focal point of Negro civic activities, but as to its role in any boycott he said that the group "has never told Negroes not to shop downtown. We have simply attempted to educate them and encourage them to make their own analysis."

The present mayor of Tuskegee is Howard Rutherford, a newcomer to politics who had some rough sledding his first time out even though he won the election.

He defeated incumbent Mayor Phil Lightfoot in the Sept. 19 municipal election last year, but his eligibility was contested and it was not until he won a second endorsement at the polls in November that he finally moved into the office he originally won in September.



RUTHERFORD

The mayor, another Macon Countian who has reservations about newspaper publicity, gives the impression of being an honest, hard-working man who is sincerely concerned about his community's problems and wants to find a solution to them.

The current tensions are a part of these problems, quite naturally, but they are not all of them. There is still the day-to-day business of running a small town and keping the wheels turning efficiently. Mayor Rutherford seems to be capable of the job. The city of Tuskegee is economically healthy, even with a loss in revenue since the boycott. There is not a parking meter in town, and the city and county tax rates are among the lowest in the state. Yet it consistently operates in the black, principally because it has purchased the electric power company with the receipts from that and the water service makes enough money to meet its needs.

There are some who feel that the new mayor might be a little "softer" in his attitude toward the Negro community than his predecessors. One white resident said the new officials "may be a little more lenient than I'm willing to go," and even Gomillion said that "I get the feeling" that Rutherford "is more open-minded than previous mayors," although he added the comment that "how much he and his associates will be able to do is questionable. No doubt any attempt to provide more opportunity for (Negro) participation in civic affairs will have great opposition from the former power structure."

The mayor has had at least one meeting with Gomillion and a couple of other TCA leaders since he took office, but he was unwilling to discuss it.

THIS DOES NOT MEAN that Mayor Rutherford is particularly sympathetic with Gomillion and the TCA, but rather that he recognizes a community problem and may at least be willing to talk about possible solutions.

Another person often mentioned in connection with Tuskegee

and Macon County, whose influence is felt even though he is not a direct participant in the present struggle, is Dr. Luther H. Foster, president of Tuskegee Institute.


FOSTER

A native Virginian, Dr. Foster is a keenly intelligent man, an outstanding educator and administrator. Only 48 years old now, he was business manager at Tuskegee from 1941 until he became its president in 1953. He holds bachelor's degrees from Hampton Institute and Virginia State College, the master's degree from Harvard, and Ph.D. from the University of Chicago.

While his primary interest is in making Tuskegee Institute a better school—developments since he took over and optimistic plans for the future attest his success— and while he has not actively, personally participated in the Negro vote drive in Macon County, he allows his faculty and staff freedom to express themselves as individuals—within reason. A professor who helped organize a student march in sympathy with the sit-ins learned, according to reports, that there are limits to Dr. Foster's tolerance.

His personal feeling he states plainly: "It is important and even urgent that cities and communities throughout America look and work for the future rather than reflect nostalgically about the past. Our obligation is to the future."

A young Tuskegee physician is emerging as one of the important spokesmen in the white community. Dr. Riley Lumpkin, a 35-year-old graduate of the University of Alabama medical school who has been practicing in his home town for two years, is a member of the city council and president of the Macon County League.

DR. LUMPKIN DENIES THAT the idea for the League, which he says grew out of the juvenile delinquency problem and then overlapped into other areas, was his alone. But he is the man most closely identified with the group which now has representation from more than 50 civic, service, educational and similar organizations.


LUMPKIN

It was natural that the group's interest should move into other fields, Dr. Lumpkin says, and just as natural that the racial situation should be one of them. The group has gone on record in opposition to any plan to abolish Macon County, at least at the present time.

All of the groups presently represented in the League are white. Dr. Lumpkin said of possible representation from Negro groups that "none have applied."

While admitting that he knew he was not speaking for all members of the League, he said that "we must realize that we can't back away from this problem. We've got to meet it. The trouble is that we haven't been meeting people fair and square, and we have to do that now."

He said that the League's executive committee has discussed the possibility of forming an interracial committee as one way of trying to work out problems.

"I think the situation is going to improve," he said later. "Macon County has a good future."

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ALABAMA

MACON COUNTY

Negro Voter Registration Nears Majority in Tuskegee

The Atlanta Journal and Constitution

P 1 B

By GROVER C. HALL JR.

Editor, The Montgomery Advertiser
Special to Atlanta Journal-Constitution

MONTGOMERY, Ala., July 15—A singular drama in the long-drawn civil rights commotion is unfolding in Macon County, wherein is located Tuskegee Institute.

Due to bristling and quite specific orders from a federal judge, the Negro voters of Tuskegee, the county seat, are within 100 votes of having the majority over the whites.

Negroes are about 84 per cent of the population in Macon County, but they have relatively far to go before they achieve a majority of registered voters.

Sum. T-16-61

WHAT MAKES their forseeable majority within the city of Tuskegee a matter of passing consequence is the existence of Tuskegee Institute and the Veterans Hospital, which provides such an exceptional concentration of highly-trained Negroes.

The question, one that has anguished the whites for a long time, becomes whether the Negro voters, when they are the majority, will elect Negroes to municipal offices such as mayor.

And in time, when the Negroes are the majority in the county as well, will they seek to elect their own to such offices as probate judge and sheriff?

Atlanta Ga.

It was in March that U.S. District Judge Frank Johnson Jr. ordered the county's board of registrars to cease discrimination against Negroes. Johnson set a quota for registration.

OF THE 290 REGISTERED, about 80 live within the city limits of Tuskegee. At present there are an estimated 500 Negro voters and 600 white.

In the county, where the rural Negroes are less taught and less assertive, the estimated comparison is 3,000 white voters to 1,436 Negroes.

The specifics of Judge Johnson's order were galling, but effective for his purpose: Registrars are ordered to register any Negro applicant whose qualifications are equal to the least qualified white voter's.

At the present rate of registration, Negroes would have the majority in the next city election, September 1964.

BRIEFLY . . .

Virginia was still **convicting motorists** who were evading taxes by mail purchases of Alabama auto tags, priced $3.75. . . . State Highway Director Sam Engelhardt asked a federal court to **reverse the U.S. Civil Service Commission's ruling** that he is in violation of the additional job of Democratic national committeeman. . . . Flomaton, Ala., was among the cities whose **segregation signs** in railroad terminals are **under scrutiny** of the Interstate Commerce Commission. . . . The state geologist was convinced that Southeast Alabama might, through new processing methods, become a **major iron ore** section. . . . Clay County teachers **voted to quit** this fall if a 10 per cent salary cut sticks.

ALABAMA

3rd

34e 1961

Dateline Tuskegee—

The B'ham News

Macon has race problems a bit different

B'ham, Ala.

Tues. 4-4-61

Of historic proportions are the tensions currently gripping Macon County, Ala., tensions to which the U. S. Civil Rights Commission, the U. S. Justice Department and the federal judiciary have contributed. In order to put the Macon County picture into perspective The News sent Staffer James Jacobson to talk to the people involved to find out what the situation really is. This is his report.

BY JAMES E. JACOBSON, News staff writer

Macon County's racial problems are basically similiar to those in many other counties throughout the South. But in some respects they are peculiar to Macon alone.

In most counties where Negroes outnumber whites—as they do in Macon, five to one—the Negroes are generally representative of their race throughout the region. That is, while a handful might have adequate or even above-average education and income, the vast majority are poorly educated, low-income farm workers, unskilled laborers and workers in various services.

(Third of a series)

Macon County is different because of the existence there of two major, predominantly Negro institutions.

Great sociological impact

FIRST, AND OF GREATER sociological impact on the county, is Tuskegee Institute with 2200 students and a faculty and staff numbering more than 600. Second is one of four Veteran's Administration hospitals in Alabama, with 2200 patients and, more significantly, 1400 employes including professional people and highly trained, skilled technicians.



JACOBSON

The existence of such a core of educated, intelligent Negroes in a county which is home to 32,000 of their race and only 5000 or so whites, especially at a time when national and world trends are toward greater pressure by Negroes for more responsibility and greater participation in community affairs, has brought about conditions which were not at all unpredictable.

This should not be misinterpreted to mean that the two institutions themselves are active participants in the struggle going on in Macon County. Rather, it means that various individuals on their respective staffs are important principals in the drama, and the atmosphere, particularly at the institute, is not unconducive to their activity.

H. W. Kenney, Negro, who has been maanger of the VA hospital since September, 1959, said, "We most emphatically deny that the hospital is in any way involved. This may be confused with the fact that some of our employes as citizens are trying to improve the entire social situation here. But neither the boycott nor the Tuskegee Civic Assn. is in any way connected with this hospital."

Atmosphere of 'progress'

IT IS HARDER TO ISOLATE the Institute from the situation, as it involves expression of Negro aspirations, than it is the hospital. The whole atmosphere at the school is one of "progress" and all the word implies. It is not something confined to the institution; rather, it is more a local manifestation of something which extends far beyond the bounds of Macon County.

Still, it cannot be said that Tuskegee Institute itself is a participant in the struggle. Its president, Dr. L. H. Foster, put it this way: "We are an educational institution. These organizations (such as the Tuskegee Civic Assn.) enroll individuals. We allow academic and personal freedom as much as possible within the institutional programs.

"Our position on this is very clear. We believe in academic freedom and all it implies. Along with this freedom goes a responsibility. It is inconceivable that there should be opposition to individuals seeking their basic rights as citizens in this American democracy."

Vesper address recalled

ON FEB. 5, IN A VESPER service address at the Institute, Dr. Foster said, "Perhaps it would be correct to say the white South has mixed feelings, or rather, a confused and 'uneasy' image of Tuskegee. Booker Washington ran a good school, they will acknowledge; he did it without revolution, and such a program was 'just right.'

"But the Tuskegee Institute of today, with its associated community insistence on voting and 'territorial' rights may be pushing things too fast. Yet, it must be conceded—this group would probably say in fair number—Tuskegee faculty and students are much more often in the news for right than for wrong; there are some exceedingly competent persons in some of the departments; and Tuskegee Institute is a name which reflects positive significance.

"By and large, the white South does not appreciate Tuskegee Institute in a 'wholesome' way, because too much of the white South lives today and perceives tomorrow as a land of make-believe."

This is a different Tuskegee Institute today, many whites feel, from the Tuskegee Institute of Booker T. Washington and George Washington Carver—of whom one white newspaperman who had interviewed him said the other day, "I never met a man I respected more, except my father."

Two men engineered bill

OF THE FOUNDING of the school, the Tuskegee Institute Bulletin says: "Two men—Lewis Adams, a former slave, and George W. Campbell, a former slave master—each saw the need for the education of Negro youth in Macon County. They engineered the passage of the act (by the Alabama Legislature) which appropriated $2000 annually for teachers' salaries for such a school.

"Their call for a leader went to Hampton Institute, and was answered by Hampton's principal, Gen. Samuel Chapman Armstrong, who sent Booker T. Washington. This move, in 1881, opened an era."

A professor of sociology at the institute, Lewis W. Jones, gave this account of the beginnings in a speech in January, 1958: "It was in 1880 that Lewis Adams, Republican Negro leader, asked Negroes to vote for former Confederate Col. W. F. Foster. Col. Foster, of Union Springs, bargained to put a school for Negroes at Tuskegee. Each kept his bargain. Col. Foster got the appropriation. Mr. Adams asked Hampton Institute for a teacher. On July 4, 1881, Booker T. Washington came to this place in Alabama. All things come from this Spring. Negro votes created Tuskegee Institute. Tuskegee Institute was made great by Booker T. Washington. Macon County was made prosperous by Tuskegee Institute."

Limited in its first year

IN THE FIRST YEARS of its existence, the institute was quite naturally a limited operation. On the day Washington opened the school, 30 Negro men and women whom he had contacted throughout Macon and neighboring counties gathered to attend Alabama's first normal school for the training of Negroes.

Washington contracted in 1882 to buy a 100-acre abandoned plantation which became the nucleus of the present campus. He began a program of self-help which permitted students to live on campus and earn all or part of their expenses. Construction and expansion, most of it done by the students and institute staff themselves, progressed as rapidly as Washington could raise funds, much of it through strictly personal appeals.

By the time of his death in 1915, the institute's endowment amounted to about $2 million, its students numbered 1500. Even then, however, two-thirds of the students were below high school level and none above it.

The college program itself was not begun until 1927, and it was not until 1935 that it approached the size of the high school program. It was in 1943 that Henry Neill Segrest, then a state representative, now practicing law in partnership with his son in Tuskegee, was able to secure the first substantial state appropriation for the institute. The money was to be paid in an arrangement whereby the state would subsidize the education of Negroes in certain areas and the institute would provide the facilities and training.

Was Washington misinterpreted?

"I WISH THOSE PEOPLE who complain about Tuskegee Institute now," a faculty member said, "would look back at all those years when it carried a whale of a share of secondary school education when the state of Alabama didn't provide secondary schools for Negroes in the rural counties."

To whites who say that Tuskegee Institute today is not what they conceived Booker T. Washington to mean it to be, many Negroes reply that they misinterpreted him in the first place. He did not, Negroes say, mean that the Negro should be elevated merely to the highest levels possible within the Negro community—he meant that the Negro should be educated and enlightened and made capable of assuming his place in the whole society; that his race should be no barrier at the time when he was ready to compete with whites on equal terms.

Jones in his speech said, "A class of Southerners, the dominant power group, has repudiated the Washington contract, defying his wisdom and sneering at the beauties of patience which they wove into a snare. Your patron saint, the Tuskegee Genius, would be made a fool of by these moral midgets."

Macon County focal point—

Underneath surface race situation boils

BY JAMES E. JACOBSON, News staff writer

IN THE BLACK BELT country east of Montgomery almost 27,000 people today are going about their business just as other Alabamians are doing in the 66 other counties.

About 6700 of them are in the small town which serves as the county seat. At this time Monday a clerk might be selling a shirt to a customer in Cohn's Department Store, another sacking a bag of groceries in the Jitney-Jungle.

The scene could be duplicated many times over in the South. The cotton fields and pine stands out in the county are no different from those elsewhere. The Confederate monument in the

Perspective view taken in Macon

Alabamians have watched with deep interest the mushrooming battle in Macon County between Negroes demanding the right to vote and whites, in a county where they are outnumbered 5-1, maneuvering to retain political control. The conflict has historic implcations for the South, and the rest of the nation and the world have grown accustomed to seeing the dateline "Tuskegee" in their newspapers. In order to put the Macon County picture into perspective, The News sent staffer James Jacobson to talk to the people involved, to find out what the situation really is. This is the first in a series of his reports.

of the wine. The trees should stay, they said.

First in a series

This county and this town, similar to so many others, are not like them all.

The county is Macon.

The town is Tuskegee.

Defenders of the old line

A WEEK OR SO AGO a minor crisis developed. There was talk of cutting down two trees in the square. The path of progress, however, if it was progress, was stoutly barricaded by defenders of the old line. The trees should stay, they said.

So what?

The incident is related simply to point out that even in Tuskegee, even in Macon County, there is much of the everyday. The people go to work in the morning and come home at night. They go to church and worry about bills and work in flower gardens and read their newspapers and watch television.

To their lives, however, there is an added element.



JACOBSON

Tuskegee and Macon County have been in the news for several years running now, moreso than most there would like. They have been in the news because the town and the county, unwillingly perhaps, have become the focal point of a situation fast coming to a boil.

In essence this is because nearly 22,000 of the 27,000 people in Macon County are Negroes. Additionally, the localtion there of famed Tuskegee Institute and a large, predominantly Negro Veterans Administration hospital means that a sizeable minority are Negroes with aboce-average education.

Foremost is right to vote

THROUGHOUT THE NATION, and particularly the South, Negroes are actively waging a battle for what they conceive to be their rights. Foremost of their aims, perhaps, and one which many whites, do not deny, is the right to vote.

Carrying this to the logical conclusion in an area where Negroes outnumber whites, 5-1, paints a picture disturbing, to say the least, to whites who have long jealously guarded political control.

It was against that day when Negro voters outnumbered white voters that action was taken which precipitated Tuskegee and Macon County on a publicized path which has since had many turnings.

In June, 1957, the Alabama Legislature passed without a dissent a legislative act which redrew the city limits of Tuskegee from a square extending one and a half miles in each direction from a point in the town square to a 28-sided figure which, Negroes complained, excluded most Negro voters from the city.

A boycott developed

BEFORE THE CHANGE, it was estimated that there were 600 white voters in Tuskegee and 420 Negro voters, all but 10 of whom were "deurbanized" by the new boundary. No white resident was affected.

Immediately a boycott of white merchants developed. Although the Negroes referred to it as a "protest" rather than a boycott, the hard fact was that Negroes didn't come into Tuskegee to do their shopping anymore.

Gov. John Patterson, then attorney general, gained a temporary injunction against the Tuskegee Civic Assn., a Negro organization which he accused of being responsible.

The injunction was later dissolved when Circuit Judge Will O. Walton ruled that the state had failed to prove that the Civic Assn. was sponsoring an illegal boycott or was using force or intimidation to prevent Negroes from trading with white merchants.

Gerrymander action appealed

MEANWHILE NEGROES, led by Charles G. Gomillion, chairman of the division of social sciences at Tuskegee Institute and president of the Tuskegee Civic Assn., appealed the gerrymander act.

Federal Judge Frank M. Johnson in Montgomery ruled, in line with previous precedent, that regardless of any motive which might lie behind the redrawing of the boundaries the action was purely a state concern and not within the jurisdiction of the federal courts. The Fifth Circuit Court of Appeals in New Orleans agreed with him.

The Negroes appealed further, and the United States Supreme Court remanded the case to Judge Johnson with a clear mandate to declare the act unconstitutional if he determined that it was intended to deprive the plaintiffs of constitutional rights on the basis of their race.

"When a state exercises power wholly within the domain of state interest," the decision said, "it is insulated from federal judicial review. But such insulation is not carried over when state power is used as an instrument for circumventing a federally protected right."

Next came vote issues

WHITES ARGUED THAT THE REDRAWN city limits did not deprive Negroes of the right to vote—simply the right to vote in city election. However, in February of this year Judge Johnson reversed his earlier position, ruled the act unconstitutional and enjoined city officials from enforcing the new boundaries. When the city failed to appeal his decision, the reversion to the historic city boundaries became permanent.

At the same time this litigation was in progress, action was also underway to make it easier for Negroes to become registered voters. There were complaints that even Negroes with college degrees were being turned down while whites who could not read or write were registered.

The Macon County Board of Registrars came under heavy federal pressure. For months there was no board at all because two men could not be found who would agree to serve, considering the circumstances.

When it did become operative, the courts ordered registration records opened to the inspection of federal agents.

Judge orders 64 registered

THE AGENTS CAME, the records were given. That board of registrars ultimately resigned, and was replaced by a new one early this year.

The new board has met only once when Judge Johnson ordered 64 Negroes registered immediately and directed also that discrimination against Negro registrants cease in the future.

Attorney General MacDonald Gallion protested that 19 of the 64 were not qualified for various reasons. Judge Johnson subsequently agreed to remove 14 of them from the list, at least temporarily. The remaining 50 have since been registered.

One of the three registrars, Cosby Johnson, resigned after Judge Johnson issued his order. The board continues to function now with two members, Chairman Frank Smith and ex-chairman Wheeler Dyson.

Smith refused any comment except to say that "the functions of the Macon County Board of Registrars will be carried out completely within the laws of the state of Alabama and the United States. There will be no discrimination." Dyson said he has no intention of resigning.

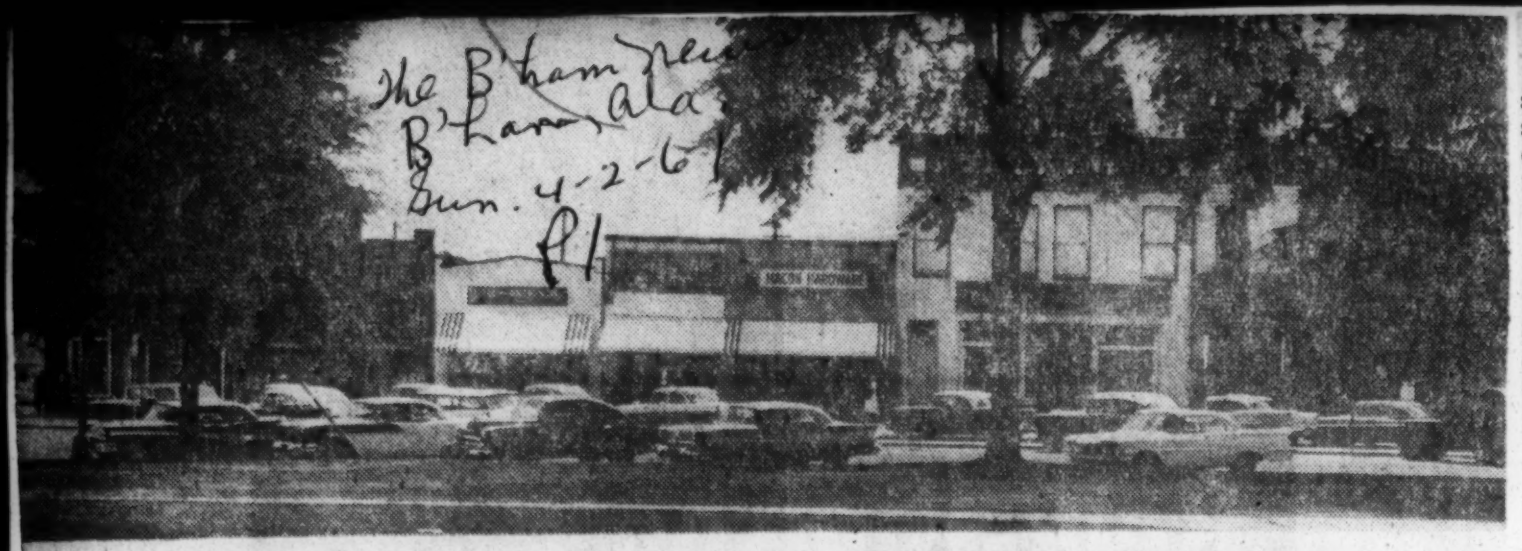
No agreement on what to do

Adding to the uncertainty is an amendment to the Alabama Constitution, approved by voters in December, 1957, giving the Legislature power to abolish or rearrange the boundaries of the county as it sees fit.

A legislative study committee has held extensive hearings to determine possible courses of action; but, even in the county itself, there is no agreement of what such action should be.

There the matter stands today. This series will attempt to lay out and analyze for Alabamians the situation as it exists in Macon County—the facts, the sentiments, the opinions and more important perhaps, what it all means to the rest of the

For, if Macon County is not isolated. What is happening today in this county could happen tomorrow or next month or next year in other counties. Macon, much to the discomfort of its people, has become testing ground.



DOWNTOWN TUSKEGEE IS NO DIFFERENT FROM ANY SMALL TOWN, U. S. A.
. . . But town and Macon County face an uncertain future

Dateline: Tuskegee—

Fear exists, realism, too, in Tuskegee

BY JAMES A. JACOBSON, News staff writer

Little Rock and New Orleans and Clinton, Tenn., have made headlines in connection with integration of public schools. Tuskegee, Ala., has also been a frequent dateline for the past four years, not in connection with school integration but rather a deeper question—that of political control, traditionally exercised by whites, possibly passing into the hands of Negroes.

What is the feeling in Tuskegee and Macon County after months and years of publicity and litigation?

AMONG WHITES, the most obvious attitude is one of bewilderment. They are traveling a road with no map, few guideposts

Second in a series

and many stumbling blocks. They have tripped up more than once in the past. There is no general agreement as to what route to try next.



JACOBSON

There is fear, though not as much as sometimes reported and generally believed. There is a fear on the part of some that the day is not far off when Negroes, who outnumber whites 5-1 in the county, will assume political control through sheer weight of numbers at the polls.

Others, who also concede that possibility, express not so much fear as a desire to take some sort of positive action to preserve their traditional political monopoly.

"We want to work out a constructive solution without destroying the county," one Tuskegee lawyer said. "Every move we've made so far has been ill-advised and premature. What we need to do now is stop and think.

"There are a lot of things we could do that would be worse than doing nothing. Whatever is finally decided has to be carefully studied and thought out."

Never the same again

THERE IS REALISM, more than one might expect. Many white Macon Countians have begun to accept the fact that any ultimate solution is likely to entail unpleasant decisions on their part, that things will never be quite the same again.

Series background

Of historic proportions are the tensions currently gripping Macon County, Ala., tensions to which the U. S. Civil Rights Commission, the U. S. Justice Department and the federal judiciary have contributed. In order to put the Macon County picture into perspective The News sent staffer James Jacobson to talk to the people involved to find out what the situation really is. This is the second of a series of articles on his report.

In fact, they are not the same even now as they were before. The U. S. Civil Rights Commission, the U. S. Department of Justice, the federal judiciary, and even the Alabama Legislature have contributed to the change from yesterday's Macon to today's.

Macon Countians can be sure that whatever they do—or don't do—in the future will be watched closely. It appears inescapable that still further change will be pressed on them as the situation develops.

There is a tendency to blame much of their present trouble on outsiders. The press, particularly, is blamed by many for making a bad situation worse. Even now there is a prevalent opinion that the less said about them the better off they will be.

An elderly woman, a clerk in a dry goods store, refused to answer any questions at all. "I wish you newspaper people would just stay out of here," she said. "Why can't you just lay off us? We got along for 100 years without you coming around and I don't see why you have to hang around now." With that, she turned and walked away. She wasn't the only one.

Mixed feelings found

THERE ARE MIXED FEELINGS about the Negroes in the county. There is still a decided undercurrent of hard feelings resulting from the long-standing boycott of white merchants and the vigorous drive for voter registration.

There are mixed feelings, too, about what must be done now. In Tuskegee itself, majority opinion is strongly against abolition of the county and in favor of exploring alternatives.

Out in the county there is less unanimity, with the exception of Notasulga where pro-abolition sentiment is as strong as the anti-abolition atmosphere in Tuskegee.

There is a general uneasiness. Even those whites who express some degree of willingness to talk things over, to try to reach some sort of understanding of the Negro viewpoint through discussion, are reluctant to undertake such talks. As a result, communication between the races, if not nonexistent, is scant.

No sit-ins attempted

NEGRO LEADERS INTEND to go right on as they have before, working for what they believe is theirs by right. The vote has been and still is the primary emphasis. Registration of Negro voters in the heavily-predominant Negro county has been at the root of most of the controversy over the past few years.

The current pressure is not much for "integration" as the term is generally used and understodd today, although that is most definitely an underlying theme in the overall drive, just as it is throughout the rest of the South and the nation.

There has been only one attempt to enroll a Negro in a white public school and that was described as "crackpot." There was a march downtown by Tuskegee Institute students when the sit-ins began to demonstrate sympathy for the sit-inners elsewhere, but there has been no sit-in in Macon County.

Two Tuskegee Institute leaders said that the group which marched downtown did so against the advice of many, both students and faculty, on the campus. Asked why there had been no sit-in attempt in Tuskegee, where white merchants have been boycotted by Negroes for almost four years, one of them replied, "We don't have any place to sit-in if we wanted to."

Generally, the Negro sentiment in the city and the county is nothing that can be labeled "Made in Macon." It is rather, a reflection of national, even worldwide, trends and events, as filtered and magnified through the eyes of Macon County's somewhat unique Negro community.

Much of the reason that developments came as they did lies in the fact that the community is dominated by two major Negro institutions. First, of course, is Tuskegee Institute.

Lack of qualification implied

ALMOST 20 PER CENT OF THE faculty hold doctoral degrees; more than half have at least a maser's degree. It was natural that such people would resent and seek redress of any situation which implied that they were unqualified to cast an intelligent ballot.

A second major factor is the large, principally Negro Veteran's Administration hospital. Its staff of 1400 is of major economic significance, and the presence of professional people and skilled technicians adds another section of Negroes with better than average educations to the community.

It is largely from these two institutions that the leadership of the Tuskegee Civic Association, the group which has been the nucleus around which Negro actions revolved, is drawn.

The president, C. G. Gomillion, is chairman of the division of social sciences at the institute. The secretary, William P. Mitchell, is an employe of the hospital. The majority of the other top officers come from one or the other.

The closest white equivalent to the TCA is the Macon County League, a relatively new group composed of representatives of 41 other organizations with the object, as one member put it, of "finding some permanent solution, but not just a stopgap which will put things off for another year or two." Dr. Riley Lumpkin, a young Tuskegee physician, is president.

Involved are individuals

IT IS NOT THE INSTITUTE and the hospital themselves, as such, which are leading the fight for the Negroes. Various individual members of their staffs are.

In Mobile, or Montgomery, or in Birmingham the two institutions could probably have been absorbed without the noticeable sociological impact that they have made in Tuskegee and Macon County.

U.S. Ruling On Tuskegee Increases Fear Of Whites

The Montgomery Advertiser P. 3A

By STUART CULPEPPER
Of The Advertiser Staff

TUSKEGEE — For years the white citizens of Macon County lived in ever mounting fear that the Negroes of the area would someday gain control of local politics. That fear has grown now that a federal district court has rueld that the Macon board of registrars must register all qualified Negroes.

Four years ago, their fears were eased some when a legislative act excluded almost all Negro voters from the city limits. Now the courts have ruled that the act was unconstitutional and the boundaries will go back where they were.

Ltr. 3-14-61

TO FURTHER CHAFE the citizens out in the county, there is a new city council and mayor in Tuskegee that appear to be more lenient toward the Negro populace and their demands.

Amidst the new administration, the Negro leaders, the ex-city officials, and the community there again reigns confusion and mistrust.

The Negroes are happily expectant and bolder than ever; the city administration and some downtown merchants are chortling over things being better than ever, with new industry and peaceful relations in the offing; and the ex-administration and a tremendous number of county residents are shaking their heads in trepidation and disbelief.

Downtown merchants and people who depend on Negro trade for their livelihood apparently decided before the last election that the best way to break the four-year-old boycott by the Negroes of white merchants, was to get rid of all city officials who had a strong segregation taint. This move, prayed the merchants, would bring back Negro trade with a more lenient administration

CONTRARY TO THEIR HOPES, according to C. G. Gomillion, Negro leader of the Tuskegee boycott and an administrator at the Tuskegee Institute, "only a very few of our people have gone back downtown, and this has been over a period of two years."

* * *

Aware of the danger of the ratio of registered voters swinging to the opposite end of the pendulum a Macon County politician recently drafted a bill to abolish the city administration in Tuskegee and appoint governing boards. It was hoped that this would alleviate any possibilities of control changing hands and allowing the Negro factor to gain political control in the county.

The major functions of the city administration would be turned over to non-elected boards which would handle water, lights, sewers, fire, and police activities. In all probability, the boards would be appointed by the legislature, subject to approval by the governor.

A second bill was also mentioned as a possibility. This one would create a new municipality for the large, grouped Negro segment of the town, a new town that would be entirely separate from Tuskegee itself.

* * *

BOTH OF THESE POSSIBILITIES would obviously be anathema to the Negroes, incurring a further lack of willingness to do business with white merchants.

* * *

Mayor Howard Rutherford quickly and passionately disavowed any connection with, or responsibility for, the proposed measures, and also claimed the same immunity for the rest of his administration.

There is at least one proposal that all seem to agree on. Only as a last resort do any of the county and town residents want Macon dissolved. On that they are adamant.

There is much confusion about the actual stand of the administration. Many residents say that the downtown merchants and councilmen are easing away from a strongly segregated stand in an obvious effort to lure the Negroes back. This, the administration denies, "We only want peace and prosperity," is the byword.

* * *

THE ADMINISTRATION says that things are better than ever in the last four years, and that the prospect is one of improving relations and harmony. They are reluctant to discuss the price the city and county may have to pay for this "peace and prosperity" at the hands of the predominately Negro population.

* * *

Mayor Rutherford did say that the city attorneys had advised against the possiblity of appealing the gerrymandering decision of the federal district court because of the "futility" of hoping for a reversal. He said that they decided such a fight would be merely a "waste of money."

A committee of three leading Negroes "held audience" with Mayor Rutherford Thursday, discussing city recreation, street improvement, gerrymandering, and other undisclosed subjects. The mayor indicated that he was "somewhat pleased" by the meeting, which he termed as "cooperative."

Gomillion, the Rev. K. L. Buford, and Dan Beasley, all leaders in the Tuskegee Civic Association's "protest" (boycott) against the gerrymandering of the city limits, met with the mayor. Gomillion said that he was "rather pleased" with the conference, but declined to comment on plans to further push ideas or ultimatums "we are considering at the time." He said that he might have more that would be definite in the way of announcing future Negro plans after March 17 or 18.

With Macon registration—

Negro could win seat in 1963 Legislature

The Birmingham News P. 16-A 3-9-61

BY HUGH W. SPARROW
News staff writer

MONTGOMERY, Ala., March 9 Legislators, especially those in Central Alabama, are viewing with increased apprehension prospects that the Macon County Negro voter registration situation may suddenly go from bad to worse.

Some have expressed the feeling that unless safeguards are taken now, before U. S. authorities open voting to all Negroes 21 and over, there may be a Negro in the Legislature in 1963.


SPARROW

In that case, it would be the first time since Reconstruction days that a Negro has occupied a seat in either Alabama house.

Birmingham News

Central Alabama legislators, all from counties bordering Macon are on a joint legislative committee to recommend legislation intended to solve the Macon County problem. They feel that the outcome of the present Macon voter registration probe under the new Civil Rights Act may be the ordering of federal registrars into that county.

THE RATIO OF Negro to white residents in Macon is at least five to one. Large-scale Negro registration would suddenly shift the balance of power to the Negroes.

The same situation exists in other Black Belt counties. But so far at least, the situation has developed only in Macon County to the point where it would be possible for large-scale Negro registration to affect next year's primary and general elections.

The special Macon County committee is composed of senators and representatives from Macon, Montgomery, Tallapoosa, Bullock, Lee and Russell counties.

The five other counties would get portions of Macon if plans go through for abolition of the county. The distribution would be on a basis intended to apportion the three Macon County precincts having a density of Negroes to adjoining counties have enough white voters to offset them.

THE COMMITTEE WENT into a secret session this week. Members, however, did not reveal what steps were considered behind closed doors.

Not only was the joint committee created by a constitutional amendment approved by voters of Alabama but the same amendment gave the committee authority to abolish Macon County.

The constitutional amendment was approved before Congress passed the present civil rights law.

Committee members say abolition of Macon County probably would involved quite a few sentimental regrets. But it appears to be the consensus that abolition would be much more preferred by white residents of Macon County to retaining the county under Negro dominance.

The Proposed Tuskegee Colony

Birmingham World 3-16

In circulation is the report that over in Alabama a bill is being drawn to circumvent the recent ruling of the federal courts that racial municipal gerrymandering is unconstitutional. The suggested features of the rumored proposal would transform the City of Tuskegee from a dragon-shaped municipality — a city governmented by boards named by the State Legislature.

In other words, Tuskegee would be made a territory of Alabama and a colony of the State Legislature. Two territories of the United States were recently made states. In early American days a Revolutionary War was fought to rid this nation of colonialism. There is a world freedom cry against colonization whether by democracy, communism or internal forces. Hence it si both amusing and ridiculous to hear such reports about methods being discussed which are obviously designed to deprive citizens of a voting voice in a government under which they must live.

Birmingham Ala.

Such a move to reduce Tuskegee to a colony of bureaucracy would seem to be a crude and clumsy effort to defy the federal courts and to make its decision in this instance worthless. Spite legislation is bad enough in itself but when proposed in seeming spirit of contempt of the court becomes shocking. It is possibly that those who make such a frightful proposal will not be allowed to get away with it.

Wed. 3-1-61

In another look, the federal courts have done the proper thing in striking down the Tuskegee city-shrinkage law. Race and color are both illegal yardsticks for measuring the rights of a citizen in a democracy.

In Macon County Suit—

Government Produces Evidence In Anti-Negro Vote Suit

Birmingham Post-Herald

OPELIKA, Feb. 21 (AP) — The Justice Dept. set out to show today that anti-Negro discrimination—in changing form—continued in Macon County even after a suit was filed in Federal Court in that city.

Negro witnesses testifying for the Justice Dept. complained that they had to wait long periods before even being allowed to apply for registration, but that white applicants got fast service.

In the second day of trial on the lawsuit, government lawyers produced evidence dealing with the actions of the first board of registrars to function after the Federal complaint was filed.

Heavily Negro-populated Macon County went without a voter registration board from the time the suit was filed early in 1959 until Wheeler Dyson and Charles Donald Scott became registrars in May, 1960.

Federal attorneys are seeking a court order to prohibit registrars from denying voting rights to Negroes in the east central Alabama county where Negroes outnumber white persons nearly 6-1. White residents rule at the polls here by a 2-1 margin.

Earlier witnesses had complained primarily that a previous board functioning before the suit was filed permitted them to apply for registration, but refused to act.

Educated Negroes Rejected

The trial record also contained evidence that college-trained Negro applicants were rejected, while white persons with little or no education were registered virtually without question.

Along that line, U. S. Dist. Judge Frank M. Johnson Jr. made it clear to opposing attorneys today that registration of uneducated white persons meant nothing unless it showed a pattern in which educated Negroes were denied of voting rights.

One of the state's attorneys, Asst. Atty. Gen. Gordon Madison, said the state will seek to show in its case, probably starting Thursday, that just as many white persons as Negroes were required to copy long passages of the U. S. Constitution as part of the test.

Madison said the state also will try to establish that many Negroes were registered despite errors on their application blanks and that it has been a common practice for the board to accept applications in outlying areas of the county.

Copying Required

Negro witnesses have testified that under the previous board of registrars they had to write lengthy portions of the Federal Constitution. A number of white persons said they did no such copying.

In addition, several white witnesses told the court that their applications were accepted at their homes or nearby stores. All the Negro witnesses said they had to apply at the courthouse in Tuskegee.

Among the white witnesses taking the stand today was David Austin Haywood, who said he had to write Article 2 of U. S. Constitution when he was registered by Dyson and Scott last Summer.

At one point while he was being questioned, Johnson spoke up from the bench and excused Haywood, saying the witness "appears to be ignorant and or confused."

Both Haywood and his brother, Eleree Haywood, who also testified, had trouble reading portions of the questionnaire which applicants must fill out. Both are registered voters.

Numbers Are Given

In testimony about the Dyson-Scott board in 1960, Negroes said applicants were given numbers and were required to wait until their turn came before they could apply for registration. The board took in only six or so applications a month under that system, they said.

One Negro, Mrs. Lois L. Reeves, told the court she was 18th on the list when the numbering system was begun in June, 1960, but that it was December before her number came up. Then she was turned down. Mrs. Reeves holds a master's degree from college.

A Negro testified that a group of seven or eight white persons, who arrived at the registration office with Dyson at the June 20 meeting, were allowed to sign up for numbers first and were considered first.

Although some white witnesses said they were required to take the writing test, Justice Dept. attorneys put into the record the applications of nearly 40 white voters who were excused from it. They also entered a group of Negro applications never acted on.

Most of them dealt with the years 1957 and 1958 when an earlier board was functioning in Macon County.

Also introduced as evidence were applications by white voters showing incorrect answers and omissions on the written questionnaire, but still reflecting their approval as voters.

Ex-Registrar Admits 'Errors'

Birmingham Post-Herald

Says Macon Board Made 'Mistakes'

OPELIKA, Feb. 22 (AP)—The first defense witness, a former registrar, denied today that he discriminated against prospective Negro voters in Macon County, but admitted the Registration Board erred in approving some white voters.

A present member of the board had testified earlier in a Federal court trial that there was no unequal treatment of white and Negro applicants since he became a registrar.

E. F. Livingston of Notasulga was the first witness called by state's attorneys after the Justice Dept. completed its case earlier in the day. The other denial came yesterday from Wheeler Dyson, who had been put on the stand by Federal attorneys.

Livingston told U. S. Dist. Judge Frank M. Johnson Jr. that he and the other two board members who served in 1957 and 1958, made "no distinction whatever" in considering applications from prospective white and Negro voters.

He did say, however, that the board had separate offices for white and Negro applicants to take their tests.

Whites Were Excused

Under cross-examination by Justice Dept. Atty. Ben Brooks of Washington, Livingston conceded that some white voters were excused from the chore of copying in longhand lengthy passages from the U. S. Constitution.

The Justice Dept. contends that Negro applicants were subjected to that test of their ability to write while prospective white voters were not.

Confronted with applications from several white voters who were not required to copy portions of the Constitution, Livingston said the requirement was waived when the board visited rural precincts to register new voters. He explained that there were "no facilities" for the writing, despite Brooks' insistence that it would have taken nothing more than a pencil and paper.

Livingston, a brother of Chief Justice Ed Livingston of the State Supreme Court and an uncle of one of the state's attorneys, Willard Livingston, also admitted some white voters were registered despite errors on their application papers similar to mistakes for which Negroes were turned down. "That must have been an error on the board, that's all I can think of," the witness explained.

Examples Of 'Errors'

As an example of errors and unanswered questions on some of the white voters' applications the Federal attorney pointed out this one:

Question: Have you ever been legally declared insane? Answer: "No."

Question: If so, give details. Answer: "High school."

On another application paper, a white voter left unanswered this question: "Would you give aid and comfort to enemies of the United States and the State of Alabama?" Livingston said he would have rejected that application if he had noticed the omission, but admitted he had signed it, giving his approval to the application.

Johnson called a two-hour recess before the state started its presentation, giving the defense attorneys a chance to examine a number of Macon County voter registration records which had been in custody of the Justice Dept. for several months.

Federal lawyers, seeking an injunction forbidding future denial of Negro voting rights in the East-Central Alabama County, rested their case at mid-morning after two and one-half days of testimony.

Government Contention

The government sought to show a systematic practice of refusing to register Negro voters or putting them off for periods before even considering their applications. At the same time U. S. attorneys contended, white voters were registered quickly.

Before closing their case, government lawyers recalled Registrar Wheeler Dyson and tried in vain to get him to say that the Board of Registrars began slowing down registration last year to keep more Negroes off the pol list.

Dyson flatly denied any such motive and, asked why only one applicant at a time was interviewed despite a long waiting list, said the board felt it could not accommodate more than that at once.

To counteract that testimony, U. S. attorneys submitted records of a former board showing that in one day in March, 1958, as many as 39 applications were received.

Records of Dyson's tenure on the board last year brought out that an average of only five applications were accepted each day the board met.

Summoned by the Justice Dept. as an unfriendly witness yesterday to explain registration procedures, Dyson denied emphatically any discrimination since he took office last May.

His denial of anti-Negro prejudice yesterday gave the state the first chance to get its defense into the court record since the trial started Monday. It is expected to end before the weekend.

Tuskegee Negroes Face New Political Setback

MONTGOMERY, Feb. 19 (AP)—Tuskegee Negroes, hopeful of restored voting rights under a new Federal court ruling, may suffer another setback at the hands of the Alabama Legislature.

A bill to keep Negroes from rising to political power in Tuskegee has been drafted for introduction in the Legislature convening in May, the Associated Press has learned.

The Tuskegee area is heavily populated with Negroes. The East-Central Alabama city is the county seat of Macon County, where Negroes outnumber white residents nearly 6-1.

Under the local measure already prepared, Tuskegee's city government would be abolished and its major functions would be turned over to appointed boards handling water, lights, sewer, fire and police work.

Board members likely would be chosen by the Legislature with approval of the governor.

Precedent for legislative appointment of local officials was set several years ago when former Rep. J. W. Brassell sponsored a bill for the lawmakers to name the judge of Russell County Juvenile Court.

Another possibility to prevent Tuskegee Negroes from gaining the political upperhand is still in the talking stage. It would create a separate city for the Negroes, using the Legislature's power to charter new municipalities.

Word of the Tuskegee bill came one day after U. S. District Court in Montgomery branded as unconstitutional a state law which removed about 99 per cent of the Negro voters from Tuskegee poll lists.

Judge Frank M. Johnson Jr. also forbade city-county authorities to enforce the 4-year-old statute which redrew Tuskegee's city limits and all but did away with Negro voting there.

Macon Vote Case Will Open Today In Federal Court

U. S. Seeks Injunction Barring Denial Of Negroes Ballot Right

OPELIKA, Feb. 19 (AP)—Negroes, newly victorious in the Tuskegee gerrymandering battle, return to Federal Court tomorrow in hope of getting more voters registered throughout Macon County.

U. S. Dist. Judge Frank M. Johnson Jr. will open a hearing on the Justice Dept.'s suit for an injunction to prohibit state and county authorities from denying Negroes the right to vote because of their race.

The trial, expected to last most of the week, will produce testimony from Negroes who say they have been turned down as prospective voters solely because of their color. It was their complaints on which the suit was based.

State's attorneys, on the other hand, are expected to present testimony that white and Negro applicants are treated alike where Negro voting has long been a contentious issue.

Few Negroes Registered

Although Negroes outnumber white residents nearly 6-1, there are twice as many white voters as Negroes on the poll lists. Voter registration machine has broken down repeatly over the years because of the periodic absence of a functioning board to consider new applications.

The Justice Dept. has charged that registration authorities for many years have systematically discriminated against prospective Negro voters.

A court order to prohibit future discriminatory practices, say federal attorneys, would enable "qualified" Negroes to vote.

Similar injunctions, under the Federal Civil Rights Act, have been issued in Terrell County, Ga., Washington Parish, La., Fayette County, Tenn., and Haywood County, Tenn.

Suit Reinstated

The Macon County suit, filed two years ago, was at first thrown out of court by Johnson on the grounds that there was no one in the county to take action against. One member of the registration board had died, the other two resigned, and Johnson ruled that the 1957 Civil Rights Act made no provision for taking action against the state or county.

After the Federal law revised last year, the Supreme Court ordered the complaint restored to the docket and tried on its merits. Thus, at the hearing this week, the Justice Dept. will try to show that a pattern of discrimination has existed.

Meanwhile, in Tuskegee, the county seat, Johnson has ordered 400 or more Negro voters brought back into the city limits, with the right to vote in municipal elections.

Acting under a Supreme Court ruling, the judge last Friday threw out a 1957 legislative act which changed the city boundaries and left only a half-dozen or so Negro

Dateline: Tuskegee—

Gerrymander is answered with boycott

Stiffening racial attitudes in Macon County are best illustrated by the attempted gerrymander of the county seat, Tuskegee, deurbanizing all Negro citizens, and the retaliatory boycott of Tuskegee white merchants by the Negroes. Yesterday, in the 10th of a series of articles on the racial situation in Macon County, the gerrymander, and the treatment at the hands of the U. S. Supreme Court, was described. Today, News staff writer James E. Jacobson discusses the boycott.

BY JAMES E. JACOBSON, News staff writer

It is not uncommon today to see Negroes shopping in the Tuskegee business section.

That is in contrast to four years ago, when Tuskegee's retail merchandising economy was brought to a state of near paralysis by a boycott imposed by the Negro residents of Macon County.

Of the county's 27,000 residents, 22,000 are Negroes. By far the greater segment of the Tuskegee shopping dollar came from Negro sources, bolstered considerably by the faculty and students of Tuskegee Institute and the payroll of the U. S. Veterans Hospital, whose staff and patient load is largely Negro.

Boycott follows gerrymander

WITHDRAWAL OF THE NEGRO buying power from the Tuskegee retail economy brought a large part of the Tuskegee business community to a state of near disaster.

Scant days after the 1957 gerrymandering act passed the Alabama Legislature without dissent, the streets of Tuskegee—where there were seven Negroes for evrey three whites—were virtually empty of Negro shoppers.



JACOBSON

Negro spokesmen avoided the use of the word "boycott." They preferred to classify the withdrawal of trade from downtown merchants a "protest of an injustice."

Whites said that it was a boycott, plain and simple; and, further, that it was the work of the Tuskegee Civic Assn., the organization which has led the Negro fight for voting rights.

Dr. C. G. Gomillion, dean of students at Tuskegee Institute and president of the TCA, said then that the group had not forbidden any member to deposit or invest with, borrow or buy from any persons or firm with which he wishes to do business."

He said he had urged members of the TCA and "other interested citizens" to "observe the law, to refrain from making threats, to refrain from intimidating anyone, and from attempting to force anyone to do anything."

Nonetheless, reports persisted that individual Negroes were being threatened or intimidated by other Negroes in order to force them to cease trading with whites.

Th stat of Alabama ntrd th cas in th prsons of thn-Atty. Gn. John Pattrson and Asst. Atty. Gn. MacDonald Gallion. Gallion handld most of th invstigation, but Pattrson prscnally ld raids on th TCA offics and a printing shop to siz rcords of th organization. In August, 1957, Circuit Judg Will O. Walton issud a tmporary injunction against th TCA and othrs ordring thm not to us forc or intimidation to carry out a boycott.

Judge Walton in September refused a Negro request that the injunction be dissolved. Hearings on a sttae requqest for a permanent injunction were held the next January, however, and Judge Walton subsequently dissolved the injunction after ruling that Patterson had failed to prove the state's charges against the TCA.

Boycott still in progress

THE BOYCOTT is still in progress, although it is presently not as effective as at the beginning. Apparently it is principally Negroes outside the Tuskegee Institute community, where the TCA influence is strongest, who have resumed trading downtown, although some from the school do so.

Still, the boycott has had its effects. Twelve white firms reportedly have gone out of business since it began, and during the same period there has been a corresponding growth in Negro firms, both new ones and expansion of old ones.

One of the new Negro businesses, a supermarket, was financed by business interests of A. G. Gaston of Birmingham, who told Negroes shortly after the boycott began that "we are all behind you in this struggle for decency and economic freedom."

Gaston, who is one of the trustees of Tuskegee Institute, said in a recent interview that the financing of the Negro business was "entirely an economic matter" which the school itself "didn't encourage or discourage."

Some firms go out of business

WHILE 12 WHITE FIRMS HAVE gone out of business, many whites contend that this was not due entirely to the boycott. They cite the fact that there was a general economic recession, that there have been too many to begin with and business is now evently distributed, and that some of the companies may have closed anyway.

During the same period that some were going out of business, at least two new firms have opened in the downtown area, both apparently with some success.

Business in downtown Tuskegee isn't what could be called brisk, generally speaking, but neither is it non-existent. At certain times it reaches higher peaks, even though not as great as the market area potential should stimulate.

Dr. Gomillion says of the boycott at present, "I don't think the boycott is effective. Some Negroes have resumed trading downtown. I don't know how many. Some persons at both the hospital and the Institute have returned. Some never stopped."

He still denies that the TCA sponsors the boycott. He says that the major goal of the TCA is education and encouragement to Negroes to "analyze and interpret relationships. It leaves to its friends and followers the right to make their own decisions."

Student spirit said strong

WILLIAM P. MITCHELL, the TCA's executive secretary, reiterated Dr. Gomillion's point. "We have never encouraged Negroes to withhold trade from the town of Tuskegee.", he said. "The Tuskegee Civic Assn. has never officially or unofficially done that. We have encouraged them to act on the basis of their intelligence and knowledge."

Vincent McDonald, editor of the Tuskegee Institute student newspaper, said that "students staying away from town is just a matter of support of the Tuskegee Civic Assn. This has been going on so long, most students have just accepted it. They never got used to going to town. They accepted things as they found them."

Most of the students have entered Tuskegee during the four years since the boycott began.

Tyree Parker, president of the student governing council, said that "the boycott places students at a disadvantage in buying commodities," but that "as a whole it hasn't affected student spirit. It has made the student group more cohesive."

A similar opinion was expressed as to the entire Negro community by a Negro minister, the Rev. E. O. Braxter, at the boycott's beginning, when he said, "Lincoln freed us; Booker T. Washington educated us; Sam Engelhardt put us together."

Whites generally admit that the boycott has hurt business. There is still noticeable some resentment of the Negroes action, although one store owner, who said that "there's not a business in town that isn't having to fight hard to make expenses," conceded that "I don't much blame them (the Negroes)" for boycotting.

"The people of Tuskegee have come to realize what Negroes mean to the economy," a lawyer said. "We learned a sad lesson the hard way, that we need Negro business. It's true that the richest people in Macon County are white, but it's not the rich people who spend money and keep the economy going."

Some say King was the inspiration

ANOTHER TUSKEEGEAN SAID that "they say that the Negroes' civil rights are being tampered with. What about the rights of the white man? The boycott is illegal. The first ones to come back were those wanting to do credit business. I know for a fact that at first they were afraid to come in."

Some whites still believe that the Rev. Martin Luther King, then of Montgomery where he led the bus boycott, was the inspiration if not the stimulation for the Tuskegee boycott.

Rev. King, at a mass meeting shortly after the boycott began—a meeting which was also addressed by the Rev. Ralph D. Abernathy of Montgomery and the Rev. F. L. Shuttlesworth of Birmingham—told an overflow crowd of Negroes that "you are not seeking to put stores downtown out of business, but seeking to put justice into business."

Basic issues still issues

LEWIS W. JONES, a sociology professor at the Institute, in a 1958 speech said that "Negroes in Tuskegee were not deceived from the very beginning of (the) gerrymandering machinations. Under the leadership of the Tuskegee Civic Assn. Negroes resolved to withhold their trade from those businessmen in Tuskege who condoned the gerrymander if they did not share reponsibility for it. At first some merchants laughed and sneered at 'the boycott,' confidently predicting it would be of short duration. As the weeks passed into months they wailed and cursed these arrogant, cruel Negroes who were destroying their businesses."

He added that "it is a quirk of the human mental processes to attribute to others one's own guilt."

Four years after its inception, the boycott is still functioning, though not as effectively as at first. Negroes are still pushing for freer voter registration, and through federal court intervention more are now being registered than before. The past four years have seen no final solution to the problems facing Macon County. The basic issues are still issues, and developments are still building toward some sort of climax.

Dateline: Tuskegee—

Troubled yes, but still no powder keg

The preceding articles in this series have discussed the events and developments in Macon County and Tuskegee which have been the sources of such widespread publicity of that have included the thoughts and attitudes of various people on both "sides" in the controversy. What does it all add up to? What are the city and county like today? This article, the last in the series, gives some ideas.

BY JAMES E. JACOBSON
News staff writer

"You know," one business operator a few miles outside Tuskegee said sadly, "I've actually had people stop here and ask me if it was safe to drive through town."

That is one of the unfortunate misconceptions which have grown up around the Macon County voting rights controversy, one of the reasons why Tuskegeeans and Macon Countians are highly sensitive to more publicity of any sort and generally cool to out-of-town writers seeking to do new stories about them. Actually, nothing could be further from the truth.


JACOBSON

Tuskegee today could not be described exactly as a typical small Southern town. Business is off somewhat due to the Negro boycott of white merchants, and extended talks with townspeople of both races leaves an unmistakeable impression of acute sensitivity to questions which, in other times, might not be given a second thought.

But Tuskegee is not a powder keg, ready to explode at the slightest spark.

It is to the credit of both races that never, in all the prolonged controversy which has enveloped them, has there been a serious incident of interracial violence.

Only one 'sit-in' march

THE NEAREST THING TO IT occurred about the time the sit-ins began elsewhere in the South. A group of Tuskegee Institute students—estimates of the number vary from a couple of hundred to more than a thousand—staged a "sit-in sympathy" march downtown, despite attempts by other students and some faculty and administrative officials to dissuade them.

One student and a white man were arrested after a pushing incident, but that was the extent of any "violence."

One of the unusual aspects of the situation, in fact, has been the noticeable absence of any major segregationist group activity.

Although one or two Negroes voice suspicions that the Ku Klux Klan might exist in Macon County, white residents—private citizens and public officials alike—heatedly say that not only is there no Klan but that there is not even an active Citizens' Council. If there is, they say, the groups have kept their existence and their membership extremely well hidden.

The Tuskegee Negro community is unique because the existence of a nucleus of intelligent, well-educated Negroes. And just as the existence of this nucleus is fact, the existence of many more Negroes throughout Macon County who have—for reasons beyond their control for the most part to be sure—failed to develop to normal white standards is also fact.

Far from being 'rednecks'

MUCH THE SAME can be said of white residents. There are some below average. But there are also many who are far removed from the "redneck" label which is often pasted on all white Southerners who oppose changes in traditional ways.

In Tuskegee many are intelligent, well-educated, white people, some of them direct descendants of the county's early settlers, whose concern today is just as sincere and in their opinion as sound as is the conviction of the Negroes who are attempting to open new avenues for themselves.

Tuskegee was something of a cultural and educational center long before Tuskegee Institute was founded. Macon County was located in one of the state's richest, most prosperous agricultural regions. Gen. Evander Law, later to contribute greatly to education in Florida, operated the Tuskegee Military High School for a short while before the Civil War, and the Alabama Confederate Female College was located there before it was moved to Montgomery and renamed Huntingdon.

BOTH "SIDES" today must be given credit for basic sincerity. Negroes such as those at the institute naturally resent being denied rights which they feel qualified to exercise. Whites, who have considerable investment in the community in more than one sense, just as naturally are concerned about the possibility of losing control of it.

No quick solution

THIS IS SOMETHING which people outside the South sometimes tend to overlook—that whatever they think of the origin of the problems being faced today, whether or not the white South created for itself the situations with which it is now faced, that does not lessen the fact that a very real problem does exist, and one which will not be solved overnight.

A letter received since this series began cites the close, proud association of Tuskegee whites with Tuskegee Institute in "the days before the Yankees and Communist infiltration took over at the school and hospital."

It is not things like the boycott which trouble white townspeople, the letter continued. "The thing that worries them," it said, "could never be understood by an outsider. . . . The people in Tuskegee are worried, yes, but not until you love even the sidewalks of a little town will you know."

"I HAVE BEEN a strong advocate for years of voting rights," a Negro professor at the institute said. "There is no defense whatsoever for not allowing them. I have not pushed hard for integration. I can see arguments, I can listen to reason on this. (But) the franchise is the front door. Desegregation is the back door, and it's been tried because the front door was locked."

Might shun white schools

HE SAID AT ANOTHER POINT, in reference to school integration attempts, that "I wouldn't be at all surprised if most Negroes really don't want to go to school with whites. Most would probably say they would rather go with their own people if they were guaranteed separate but equal schools, even though the Supreme Court says there is no such thing.

"If they had ever been really equal, we would never have had a case in the courts in the first place. They've always been unequal. Teacher training is unequal, because facilities are unequal. All we're trying to do is bring up the population to equal status, with equal rights."

Most whites agree that it was a mistake to try to keep obviously qualified Negroes from registering while placing just as obviously unqualified whites on the voter rolls, but such realization does not weaken their determination to resist losing political control.

The publicity given their activities for the past few years has also lessened contact between the races.

One Negro spokesman admitted that communication had become more difficult in recent years. "Relations were at their high point before the boom was lowered in 1957," he said. That was when the Tuskegee gerrymander act passed the Legislature and was followed by the Negro boycott.

Negroes want discussion

ANOTHER SAID THAT "there has been no voluntary request on the part of public officials to get together and talk about community government. This failure of officials elected to serve the entire population seems to be a total disregard for the so-called Negro community."

Still another said, "I think we ought to start talking about race problems. I don't see how we can solve them if we don't think about them."

But if Negroes are anxious for discussions, many whites who ordinarily would be perfectly willing to talk with them are now reluctant to do so for fear that their actions or motives might be misinterpreted by the more extreme elements.

The truth is that in Tuskegee there are surpisingly many whites who are anxious to reach agreement with Negro elements of the community, willing even to make certain concessions — up to a point — to achieve some sort of solution.

"Solution," however, does not necessarily mean the same thing to whites and Negroes.

Attitudes widely different

THERE HAVE BEEN meeting between spokesmen for both races since the current

ontroversy began, but no number of conferences would be likely to alter the basic difference of attitude: Negroes want the full exercise of their voting rights which, their numbers in the total population being greater, would imply a future situation in which they might outnumber whites at the polling places; whites, on the other hand, while most would be willing to discuss specific grievances and make honest attempts to rectify specific complaints, are not at all ready to relinquish—or even share, in many cases—political control.

Negroes, then, are continuing their drive for voter registration. Whites concurrently are exploring various methods of avoiding loss of control of the government.

The majority of whites in the county are opposed to the most drastic step suggested—abolishing Macon and splitting its territory up among surrounding counties. The Alabama Legislature, however, still has the power to take such action without Macon's consent. Overshadowing the entire situation is the ever-present interest of the federal government, which will probably have a loud voice in future developments.

Already more Negroes are being registered in Macon and Bullock Counties under the watchful eye of the federal courts, and a suit involving the Dallas County board of registrars was introduced just last Thursday in Federal District Court in Mobile. Federal agents are still attempting to get registration records in other counties.

Whatever the future holds for this particular county of Macon and this particular town of Tuskegee which, for reasons unique to them in some respects, have been the initial testing ground, similar situations can be expected to crop up again and again in the months and years ahead.

The lesson of Macon would seem to be clear: Negro pressure for voting rights will continue; federal interest and watchfulness will also continue. Simple realism would indicate that with such powerful forces working in combination the ultimate outcome, in the area of voting at least, is not unpredictable.

Alabama Loses In Attempt To Halt Directive

By CHARLOTTE G. MOULTON

WASHINGTON + (UPI) — The Supreme Court Monday rebuffed the first state challenge to the right of federal investigators to obtain local voting records under the 1960 civil rights law.

Without commenting, the high tribunal left undisturbed a lower court decision ordering Alabama officials to give up records in two counties where there had been charges of discrimination against Negro voters.

Inspection of county records under the 1960 Civil Rights Act is a key part of the Justice Departments campaign to help Negroes win the right to register in some southern communities. Monday's case centered on demands by federal investigators for the records in Wilcox and Montgomery counties.

GALLION BRINGS SUIT

Alabama State Atty. Gen. MacDonald Gallion brought suit in state court to prevent the United States from obtaining records in any of Alabama's 67 counties. Subsequently, federal district and appeals court rulings ordered the Wilcox and Montgomery records turned over to federal inspection in 15 days.

Gallion and Montgomery County Registration Board protested that the 1960 law was unconstitutional because it "allows unreasonable searches and seizures, violates due process of law, denies the accused the right of confrontation, invades the powers reserved to the states or to the people and is no appropriate legislation under the 15th Amendment."

The appeal to the high cou also argued that the state cour was improperly sidetracked in the case.

The Justice Department thus far has made 20 court requests for voting records but only 8 have required mandatory court orders.

ORDERS FURTHER ARGUMENTS

In other actions Monday, the Supreme Court:

—Ordered further arguments next fall on the controversial issue of whether states are unfairly discriminating against city voters in apportioning state legislative district The test case involves Tennessee but the final decision will have impact in a number of states.

—Ruled 8 to 1, that railroad employes displaced because of a merger may be dismissed if they are compensated fairly.

Turned down an appeal from a lower court ruling which assigned jurisdiction to the National Labor Relations Board over a dispute involving the WEB pressmen's u ion and the Portland Oregonian an e Portland Journal.

—Declined to look into a fornia state complaint that ral gas accounting procedure improperly opening the way increases in consumer rates. sylvania and the cities of burgh, Cincinnati, Columbus Hamilton, Ohio, had joined Ca nia in friend - of the court peals.

ALABAMA PROBE CALLED NEGATIVE

SELMA, Ala., April 15 (AP). —In more than two years of investigating Negro voter registration, says circuit Solicitor (Prosecutor) Blanchard McLeod, Dallas County grand juries have found no irregularities.

The disclosure yesterday came one day after the Justice Department asked for a Federal Court order to prohibit discrimination against prospective Negro voters in the South-Central Alabama county.

Since the Federal Civil Rights Commission looked into Negro voting complaints in Dallas and five other counties in December, 1958, Mr. McLeod said, "we have been carrying on our own investigation."

He added: "We asked the Federal Government then to give us the facts of any violation so we could handle them, but the Government has not given us any information."

Despite that lack of details, he said, county grand juries since 1958 have been checking the voter applications of Negroes turned down and have found no Negro to have been the victim of prejudice.

U. S. Cites Alabama in Voting Ban

The Justice Department filed suit at Mobile, Ala., charging that Negro residents of Dallas County, Ala., have been deprived of voting rights.

The mobile court was asked for an injunction to halt the alleged discrimination.

The civil complaint named as defendants the State of Alabama and J. P. Majors of Safford, Ala., a Dallas County voting registrar.

The action was brought under provisions of the 1957 and 1960 Civil Rights Acts.

Attorney General Robert F. Kennedy, in announcing the action, noted that it was the first voting case initiated by the present administration and said:

"We attempted to work this out with officials in Alabama, but were unable to do so. Where there is failure to have voluntary compliance by local authorities, we will seek legal action, as we have done in this case.

"It is very important that all citizens have a right to vote, regardless of race, creed or color."

10 ALABAMA CITIES SHOW NEGROES HOLD MAJORITY

The Montgomery Advertiser p.1

A racial breakdown of 1960 U.S. Census figures show that Negroes outnumber white residents in 10 Alabama cities.

They are Union Springs, Bessemer, Brighton, Eutaw, York, LaFayette, Greensboro, Fairfield, Brundidge and Demopolis.

The city with the greatest percentage of Negro inhabitants is Union Springs, where Negroes make up 62.2 per cent of the 3,704 population.

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Tuskegee held the top position in 1950 when 80.5 per cent of its population was Negro. The city is expected to have another census soon and probably will regain the lead.

When the census was made last year, a 1957 legislative act—ruled unconstitutional last month—had redrawn Tuskegee's limits and left all but a handful of the Negro populace outside.

Tuskegee Mayor Howard Rutherford said city officials have already contacted the U.S. Census Bureau about another census to take into account the hundreds of Negroes restored to the municipal boundaries.

Racial Vote Bar Denied In Bullock

The Montgomery Advertiser p.1

But Negroes Claim Registering Tries Met With Failure

Thurs. 3-30-61 Montgomery Ala

By ARTHUR OSGOODE

A Bullock County voter registrar said in U.S. District Court here Wednesday that the present Board of Registrars makes absolutely no distinction between Negro and white voter applicants.

K. S. You, Union Springs, declared that:

"Any man that passes that examination, regardless of his color, his religion—if he passes that, his name goes on the voting list."

But earlier a series of Negro witnesses testified to repeated attempts to register as voters which met with failure. A number of them testified that registered white voters refused to vouch for them.

The Bullock County voucher rule, which requires that a registered voter support statements of voter applicants, was the chief target of Justice Dept. attorneys who began their case before U.S. District Judge Frank M. Johnson Jr., Wednesday morning.

SAYS BOARD AGREED

The government suit charges that the rule holds down registration of Negro voters, since there are only five Negroes registered to vote in the county and whites are reluctant to vouch for Negroes.

Yon, who has been a registrar since March 1, 1960, said the present board met and agreed there would be no discrimination against Negroes.

Yon said that applicants are given numbers when they apply, and are called in order of such numbers. He also said the board meets only at the courthouse and designated places in rural beats.

Under cross-examination by government attorneys, Yon conceded that the board had erred in registering white applicants who had failed to answer certain questions on their questionnaires.

Earlier, a Negro witness, W. L. Robbins, said he was twice rejected by the board for failing to fill in all the questionnaire.

'ERRORS OF MIND'

Yon said the errors that allowed white applicants to be registered despite similar failures to answer questions were, "mistakes of the mind, and not of the heart."

The Bullock registrar was the first defense witness. The government rested its case Wednesday afternoon, after presenting a series of Negro witnesses, several of whom held college degrees, and all of whom said they were rebuffed in registration attempts.

Two of the witnesses told of abusive language by a former registrar, Allen J. Tucker, a Union Springs businessman.

The Rev. I. H. Robbins, 70-year-old Negro minister, said that when he returned after failing to be registered, Tucker threatened "to do my best to put you on the back side of the penitentiary."

Previously, another Negro, Aaron Sellers, said Tucker had told a group of Negroes attempting to register that: "My advice to you would be to go back home."

The Montgomery Advertiser 3-30-61

Returning later to find the Negroes still in the courthouse, Tucker said, "I thought I told you to get the hell out of here," testified Sellers.

Still another Negro witness, Wilbur Thomas, said three white voters refused to vouch for him.

State Sen. L. K. Andrews, defense counsel for the registrars, in cross-examination asked several of the witnesses whether they had sought to be registered by the present board. All but one acknowledged they had not.

Andrews also got several of the witnesses to concede that they knew of no cases in which an applicant failed to be registered for lack of a supporting witness, or voucher.

The Bullock County lawmaker was also successful in preventing the government from presenting white witnesses to show that they lacked educational qualifications, but were registered anyway.

SUSTAINED BY JUDGE

The first of two white witnesses, carpenter L. F. Herring, said he "used to could read and write pretty well before I married." Since that time, he explained, his wife had done most of the reading and writing for the family.

But Andrews objected when William Powell, also white, was asked if he could read or write. Powell, he said, was registered before 1948, when the law was first changed to require that voters be literate.

Andrews was sustained by Johnson, though Justice Dept. attorney Dave Norman said that part of the purpose of the suit was to show that whites had "a tremendous head start" in registering to vote.

The trial is to resume at 9 a.m. Thursday.

Suit Opens Here On Bullock Vote

The Montgomery Advertiser

Another federal suit aimed at alleged discrimination against Negro voter applicants opens in U.S. District Court here Wednesday before Judge Frank Johnson.

The Justice Dept. this time is aiming its guns against a Bullock County requirement that voter applicants have two supporting witnesses who are registered voters.

Because there are only five Negro voters in the county and because whites are reluctant to vouch for Negroes, the suit charges, registration of Negroes in substantial numbers is impossible.

Government attorneys are seeking to knock out this rule.

Defense attorneys maintain the rule has previously been upheld in the same federal court by the late Judge C. B. Kennamer.

U. S. Preparing New Rights Case

3-30-61 Birmingham Post-Herald

MONTGOMERY, March 20 (AP)—Two Federal attorneys have arrived here to prepare the Justice Department's civil rights case against voter registrars in Bullock County.

Tampa Fla.

The U. S. Attorney's office in Montgomery said the Washington lawyers were sent here to question witnesses and handle other preliminary work before the hearing opens March 29.

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U. S. District Judge Frank M. Johnson Jr. will hear the testimony in the Justice Department petition challenging the supporting witness system used in voter applications.

IN BULLOCK COUNTY Concession Set By Registrars

The Montgomery Advertiser

Montgomery, Ala.

Sat. 3-25-61 34e p.1

Bullock County voter registrars are ready to give up a requirement that a supporting witness can only vouch for two voter applicants a year, a federal attorney said Friday.

But Justice Department attorney Dave Norman said the government will still press to overturn the entire voucher system.

The Justice Department suit maintains that the requirement of supporting witnesses has been a chief factor in keeping the number of Negroes registered in Bullock to less than half a dozen.

Norman, who will be in charge of presenting the government's case before U.S. District Judge Frank M. Johnson Jr. here next Wednesday, also said that any other evidence of discrimination against Negroes will come under attack if investigation uncovers it.

Norman said the agreement to relax the twice-a-year requirement for supporting witnesses was made three days ago with Julius Thompkins, Bullock registration board chairman.

Judge Johnson ruled, in regard to a similar voucher requirement in Macon County, that supporting witnesses may appear for any number of applicants for the right to vote.

In the suit against the Macon officials, the judge ordered a speed-up in registration of qualified Negroes and an end to what he desribed as discriminatory tactics on the part of registrars.

Thompkins and his attorney, State Sen. L. K. Andrews, declined to comment on the reported easing of the voucher requirement.

The federal attorneys are remaining in Montgomery, preparing their case, until trial of the suit opens Wednesday.

Assisting Norman are Frank Dunbar and J. R. Flannery, also of the Justice Department.

State attorneys from the office of Atty. Gen. MacDonald Gallion will assist in the defense of the defendant registrars.

Ala. Ordered To Stop Bias on Negro Voters

Atlanta Daily World Atlanta, Ga.

MONTGOMERY, Ala. — A federal judge Friday ruled that Alabama officials must stop discrimination against Negro voters.

Specifically, Federal Judge Frank M. Johnson ordered Macon County authorities to quit discriminating against prospective Negro voters.

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He directed county registrars to place the names of 64 Negroes on the registration lists within the next 10 days and further directed the registrars to halt the practice of requiring prospective voters to write long sections of the United State Constitution.

A blow against discrimination was struck when Judge Johnson ordered an end to discrimination against Negro voter applicants.

Judge Johnson's anti-discrimination ruling is seen as a possible "mass exodus from Macon County of most whites," according to former Macon County Sen. Sam Englehardt

A constitutional amendment introduced in the 1957 legislature and subsequently passed empowered the legislature to pass by a simple majority a bill abolishing the county and turning over its territories, citizens and properties to adjoining counties.

Englehardt said he had the situation in mind when he introduced the bill to abolish the county, and felt sure the men on the study committee would "keep down unheard of troubles caused by this court decree."

Gov. John Patterson accused the Federal Judge of attempting to turn over political control of Alabama counties to Negroes.

Voter Voucher Rule 'Relaxed' In Bullock

MONTGOMERY, March 24 (AP)—A Bullock County registrar has agreed, the Justice Dept. said today, to abandon the two-a-year limit on the number of new voters a supporting witness can vouch for.

The voucher rule, which the Federal Government says discriminates against prospective Negro voters, is the key issue in a suit scheduled for hearing before U. S. Dist. Judge Frank M. Johnson Jr. next Wednesday.

Registrars have required applicants to get the signatures of two already-registered voters, and have permitted each supporting witness to vouch for no more than two applicants a year.

Dave Norman, a Justice Dept. attorney in Montgomery getting ready for next week's trial, said the agreement to relax the rule came three days ago while Federal lawyers were taking statements from the registrars.

Norman said the registration board chairman, Julius P. Thompkins, agreed to permit supporting witnesses to vouch for any number of prospective new voters.

Thompkins and his attorney, State Sen. Lawrence K. Andrews of Union Springs, declined to confirm or deny Norman's statement.

The Justice Dept. contends the voucher system as enforced in the past automatically limited the number of Negro voters because only five members of that race are registered now and, the Dept. says, white voters are unwilling to appear as witnesses for the Negroes.

Federal attorneys are asking Johnson for a court order to force the registration board to waive the voucher rule and to compel registrars to accept applications from qualified Negroes.

A similar system has been in effect in neighboring Macon County, where the Federal judge has already ordered authorities to register all Negroes who meet the qualifications fixed by law.

In allowing Macon County registrars to continue using the voucher rule, Johnson said supporting witnesses must be permitted to appear for "any number" of applicants. But he did not specify a time limit.

Negroes Lose Majorities In 2 Counties

MONTGOMERY, March 23 (AP)—Alabama Negroes lost their population majorities in two counties during the 1950s, leaving only 12 counties where they outnumber white residents.

Although the state's number of Negroes remained at a standstill, official 1960 U. S. Census figures showed that the white population grew 9.8 per cent since 1950.

The figures, available here by race for the first time, revealed that white persons gained numerical dominance in Choctaw and Russell Counties during the past decade.

Census reports also verified preliminary findings that the state's proportion of Negroes dropped to an all-time low of 30 per cent. That compared with 32 per cent in 1950.

In 1820, year of the first census in Alabama, Negroes comprised 33.2 per cent of the population. Their numbers have fallen steadily since 1870 when Alabama's population reached a high point of 47.7 per cent Negro.

Last year Macon remained the county with the highest percentage of Negroes. But the proportion dipped from 86.4 to 83.5 per cent.

Here are the counties with Negro majorities in 1950 and 1960, along with the current Negro percentages:

Macon, 83.5 per cent; Greene, 81.3; Lowndes, 80.7; Wilcox, 77.9; Sumter, 76.3; Bullock, 71.9; Hale, 70.7; Perry, 65.8; Marengo, 62.1; Dallas, 57.7; Barbour, 52, and Monroe, 50.7.

In 10 of those counties the Negro majorities narrowed, but widened in Hale and Sumter. All counties with white majorities in 1950 retained them in 1960.

The 1960 census figures showed 2,283,609 white persons in the state, an increase of 9.8 per cent, and 980,271 Negroes, up less than .1 per cent.

Open Records In Jefferson Given Gallion's Approval

Alabama Atty. Gen. MacDonald Gallion said Friday he would permit federal agents to see some voter registration records in Jefferson County. But he said he would oppose a "fishing expedition."

Gallion indicated, however, that it will be up to the Justice Department to ask to see the records.

"I left the next move up to them. There was no meeting of the minds," he said.

At Birmingham, a responsible source said the Jefferson County board had agreed to whatever decision Gallion should make.

Gallion said he discussed the matter with Burke Marshall, assistant U.S. Attorney general in charge of the Civil Rights Division. He said he told Marshall that because two federal judges already have ordered voter records opened to inspection in other Alabama counties, he would "reluctantly agree" to let agents see applications of voters who have been turned down in Jefferson County.

A Justice Department spokesman in Washington said an informal request was made to Jefferson officials to permit inspection of voter registration records. The spokesman said the step was taken under the 1960 Civil Rights Act and presumably resulted from complaints of irregularities.

U. S. prepares civil rights suit against Bullock

MONTGOMERY, Ala., March 21 (AP)—Preparation of the Justice Department's civil rights suit challenging Bullock County's vote registration system continued today.

Two federal attorneys were here from Washington to lay the groundwork for the hearing opening March 29.

The suit will take issue with Bullock's system requiring each voter registration applicant to have two others vouch for him, but limiting to two the number of applicants for whom a voter can appear each year.

The Justice Department contends that white voters are reluctant to vouch for Negroes. This, the complaint charges, automatically limits the number of new Negro voters.

A similar system is used in neighboring Macon County. There, Federal Judge Frank M. Johnson last week ruled that a supporting witness can vouch for "any number of applicants."

Federals Get Jefferson Vote Records

BIRMINGHAM (AP) — Federal agents will be given access to Jefferson County (Birmingham) voter registratoin records, The Associated Press has learned.

A responsible source who declined to be quoted said Thursday night that the county's three voter registrars and Attorney General MacDonald Galilon have agreed to a check of the records.

A Justice Department spokesman in Washington said "an informal request" was made to Jefferson County officials to allow inspection of voter registration records. The spokesman said no reply had been received at the close of business Thursday.

He said the step was taken under the 1960 Civil Rights Act and presumably resulted from complaints of irregularities in election procedures.

The source here said the state is reserving the question of state sovereignty, the right to police its own affairs, pending outcome of Civil Rights litigation now in the courts.

Gallion said after a recent voter registration suit here that "we must never quit fighting for the right of the state . . . to handle its own internal affairs."

Gallion was not available for comment on the action and Jefferson County officials referred all questions to him.

AIMED AT BULLOCK

U.S. Suit To Register Negroes Set In Court

A government suit aimed at getting more Negroes registered to vote in Bullock County has been set in U.S. District Court here for the week of March 27.

The Justice Dept. is aiming a legal blow at the practice of requiring voter applicants to bring two supporting witnesses to vouch for them.

This practice, it is charged, effectively keeps down the number of Negro voters. The suit alleges that there are less than a half dozen registered Negro voters in the county, and that white voters are reluctant to vouch for Negro applicants.

Hearing the case will be Judge Frank M. Johnson Jr., who last month heard a similar suit brought on behalf of Negroes in Macon County.

The Macon suit differed from the pending Bullock suit in that it charged that voter registrars registered virtually any white person while unfairly rejecting qualified Negroes.

Johnson is to rule on the Macon case following filing of written briefs by attorneys on either side. The briefs are to be filed by Monday.

VOUCH FOR TWO

The Bullock practice of requiring supporting witnesses also has the provision that such witnesses can vouch for only two applicants a year.

Attorneys for the county, answering the suit, said that the voucher system has previously been upheld by Judge C. B. Kenner, Johnson's predecessor in federal court here.

The case is to be heard here because Bullock County is in the [illegible] division of the court. The Macon County case was tried in Opelika, headquarters for the eastern division of the court.

Bullock Is Next Target For Federals

MONTGOMERY (AP)—The Justice Department's suit to get more Negroes registered as voters in rural Bullock County has tentatively been set for trial the week of March 27.

Testimony will be heard by U. S. Dist. Judge Frank M. Johnson Jr., the same judge who presided over a similar hearing involving neighboring Macon County last month.

Johnson is expected to announce a ruling in the Macon County suit after opposing attorneys file written briefs next Monday.

Although the Justice Department has charged discrimination against prospective Negro voters in both counties, and is asking for court injunctions to prohibit it in the future, there is a material difference in the two suits.

In Bullock, the federal government's complaint challenges the practice of requiring would-be voters to get two supporting witnesses to vouch for them. The vouchers must be registered voters, and no supporting witness can vouch for more than two applicants in a year.

Gallion Accuses U. S. Of Hypocrisy

Says Rights Suit Itself Discriminates

MONTGOMERY, Feb. 3 (UPI)—Alabama Atty. Gen. MacDonald Gallion today accused the Federal Government of discriminating against whites in its civil suit against the Bullock County Board of Registrars.

Gallion made the accusation in asking U. S. Middle District Court here to dismiss the Federal complaint against the Bullock registrars.

The Federal Government claims the so-called "voucher system" used by the registrars is "illegal and discriminatory" toward prospective Negro voters. The board requires any person who wants to become a registered voter to have his application signed by a registered voter vouching for his good moral character.

Gallion said the issue already has been decided against the government in state and Federal courts.

In seeking dismissal of the action the attorney general said the Bullock board has the authority to establish such rules and that such rules have been applied to all persons equally and without discriminaiton.

"The rules and regulations adopted by the board," Gallion argued, "already have in pertinent part been declared to be constitutional by the U. S. Middle District Court in Mitchell vs. Wright, and by the Supreme Court of Alabama in Williams vs. Wright."

"The United States is itself acting in an unconstitutional and unlawful manner," the attorney general declared, "in that it seeks to have the pertinent rules and regulations declared invalid as to Negroes only, and seeks relief only as to Negroes, leaving the rules and regulations in force as to white persons, which in itself is an unlawful discrimination because of race or color."

ALABAMA

Alabama Attorney General Claims Discrimination

MONTGOMERY, Ala. — (UPI) — Alabama Atty. Gen. MacDonald Gallion Friday accused the federal government of discriminating against whites in its civil rights suit against the Bullock County Board of Registrars.

Gallion made the accusation in asking U. S. Middle District Court here to dismiss the federal complaint against the Bullock registrars.

The federal government claims the so - called "voucher systems" used by the registrars is "illegal and discriminatory" toward prospective Negro voters.

The three - man board requires any person who wants to become a registered voter to have his application signed by a registered voter vouching for his good moral character. No voter may vouch for more than two persons in any one calendar year.

Gallion said the issue already has been decided against the government in state and federal courts.

In seeking dismissal of the action the attorney general said the Bullock board "has the authority to establish such rules and regulations as they deem wise to the efficient discharge of the duties of the office; that such rules have the force and effect of law, and have been applied by them to all persons equally and without discrimination.

"The United States is itself acting in an unconstitutional and unlawful manner," the attorney general declared, "in that it seeks to have the pertinent rules and regulations declared invalid as to Negroes only, and seeks relief only as to Negroes, leaving the rules and regulations in force as to white persons, which in itself is an unlawful discrimination because of race or color."

U.S. Demands Inspection Of Jefferson Voting Rolls

BIRMINGHAM (AP)—The Civil Rights Division of the Justice Department has demanded and may get permission to inspect voter registration records of Jefferson County (Birmingham), the Associated Press learned Thursday night.

The demand was made last week on Atty. Gen. MacDonald Gallion, the state's chief legal officer.

Te county's registrars met here last Friday with Gallion, a responsible source said, and it was decided to permit the inspection without a court order but with the understanding that the question of state sovereignty be reserved pending outcome of similar cases now in court.

Gallion was not immediately available for comment.

The three members of the Jefferson County Board of Voter Registration are Walter Brower, chairman, George Bellsnyder and Richard M. Harris, all of Birmingham. All were appointed Nov. 30, 1959.

Jefferson County has about 140,000 registered voters. About 14,000 of them are Negroes. The 1960 census listed a population of 634,000 for the county.

also to require the voter records of Dallas County to be submitted for Federal inspection.

Thomas set a hearing on the motion for the inspection of records for May 29 at Selma, Ala. In this, the Southern District of Alabama, U. S. Court hearings are held both at Mobile and Selma.

The Federal complaint names J. P. Majors of Safford, Dallas County Registrar, and the State of Alabama.

The suit was first announced by Attorney General Robert F. Kennedy in Washington. The action was brought under the Civil Rights Acts of 1957 and 1960.

According to information in advance, the Department said about 9195 of the 14,400 white citizens of voting age in Dallas County are registered, while 156 of the 15,155 eligible Negro voters are registered.

The complaint said voting officials have discriminated against Negroes in a variety of ways and that since last September, Majors has been the only member of the County Board of Registrars.

Two positions that became vacant at that time have not been filled. it was alleged.

U. S. Sues Alabama on Vote Rights

MOBILE, Ala., April 13 (UPI)—The U. S. Department of Justice today filed suit against the Dallas County Board of Registrars and the State of Alabama, charging discrimination against prospective Negro voters.

It was the first voting-rights suit filed by the Kennedy Administration.

The suit asked U. S. District Judge Daniel H. Thomas to grant an injunction restraining the Board from discriminating against Negroes and

DALLAS RECORDS

Birmingham Post-Herald
P-1 Ed 4-14-61
Birmingham, Ala.

Voter Action Says Negroes Are Barred

MOBILE, April 13 (AP)—President John Kennedy's Administration today picked a South Central Alabama county where Negroes outnumber white persons for its first court action involving voting rights.

The Justice Dept. petitioned U. S. District Court for an injunction to ban discrimination against registration of Negro voters in Dallas (Selma) County.

Judge Daniel H. Thomas set a hearing for May 29 at Selma on the government's motions.

Atty. Gen. Robert F. Kennedy, who signed the petition along with other Federal officers, said at Washington:

"We attempted to work out with officials in Alabama, but were unable to do so. Where there is failure to have voluntary compliance by local authorities, we will seek legal action, as we have done in this case.

"It is very important that all citizens have a right to vote, regardless of race, creed or color."

The previous Administration had filed similar actions in a number of Alabama counties, including Jefferson (Birmingham), Sumter, Macon, Wilcox, Bullock and Montgomery. Robert Kennedy noted that the Dallas action was the first voting case initiated by the present Administration.

Discrimination Charged

The petition charged that the Dallas Board of Registrars has engaged in "racially discriminatory acts and practices." It asked Judge Thomas to grant a motion requiring that the board open all its records since Jan. 1, 1952, for inspection by Federal agents.

Named as defendants were the State of Alabama and J. F. Majors of Sanford, a member of the board. The complaint said two vacancies have existed on the three-man board since Nov. 30, and the board has failed to function since that time.

The government asked for an order requiring Alabama to appoint and maintain "a functioning board and to require that all qualified Negroes be permitted to register and vote."

The complaint said there are approximately 15,115 Negroes of voting age in the county, but only 156 are registered to vote. Of the 14,400 white persons of voting age, 9195 are registered, it said.

75 Reported Rejected

The action also claimed that at least 75 Negroes, including at least 28 with college educations, sought to register during the past nine years, but none was accepted.

If the court upholds the Justice Dept. contention that alleged discrimination in Dallas follows "a pattern and practice," it could lead to appointment of Federal voting referees under the 1960 Civil Rights Act.

The suit also asked that the county board be prohibited from giving different or harder voter qualification tests to Negroes than to whites, and that the registrars be required to notify all registration applicants of the disposition of their cases within two weeks.

The complaint charged that Negro applicants had been discriminated against through more difficult registration application standards, delay in processing of applications, and failure to give notice of the disposition of applications.

It asked that the court order the registrations of Negroes who possess the qualifications of the least qualified white person who has been registered to vote.

Accord may be reached on record hassle

The Birmingham News
Birmingham, Ala.

BY JAMES FREE
News Washington correspondent

WASHINGTON, April 14—There is still a good chance that the hassle over whether Justice Department lawyers can have access to Jefferson County voting records can be settled out of court.



FREE

The Birmingham News has talked with the two principals in the negotiations and they seem pretty close together on several points.

Jr. Ed. 4-14-61

ALABAMA ATTY. GEN. MacDonald Gallion insists he won't open the records for a "general fishing expedition."

Burke Marshall, assistant U. S. attorney general in charge of the Civil Rights Division, says he's never had anything like that in mind.

Marshall wants his men to be able to do some spot checking so that they can determine whether Negroes and whites get the same kind of treatment in their applications for voting rights. Gallion says he is willing to go along with a "reasonable" plan for spot checking.

Thus, an agreement between the two seems to depend on working out details on:

1. An acceptable arrangement for allowing the Justice Department lawyers to select at random enough individual voting records to give them a significant picture of the fairness of the registration process.

2. An agreement on how this **"reasonable" spot check can be made—with photostating when desired — without interferring with busy operations of the board in this pre-election period. (A Birmignham city election is set for May 2.)**

Marshall said the department certainly does not want to interfere with the processing of any voting applications.

BOTH MARSHALL and Gallion commend the other for unfailing courtesy, and give the other credit for wanting to be as fair as their differing interests will permit.

Marshall said his men would not give the names of persons who have filed complaints charging that the Jefferson County Board has discriminated against them in their effort to be qualified as registered voters. Neither would they spel out the nature of the alleged discrimination.

Gallion said, on the other hand, thta he would not give the federal lawyers access to the records even for a spot check unless an agreement on the scope of the check is worked out in advance. "They can pick out what they want out in specified categories," said Gallion, "but we want to know in advance how many they want from names starting, say, with 'A', with 'B' and so on."

Gallion said he has agreed that the federal lawyers can look at the entire file of rejected applications. "There are only about 300 of them or less, so I understand," he said, "and from what the registrars tell me, most of them were applications from white persons."

U. S. May Launch Vote Probe Here

Birmingham Post-Herald
Birm. Ala.

Permission Asked For Inspection

Pre. 3-29-61

The Civil Rights Division of the Justice Dept. has demanded and may get permission to inspect voter registration records of Jefferson County.

The demand was made last week on Atty. Gen. MacDonald Gallion, the state's chief legal officer.

The county's registrars met here last Friday with Gallion, a responsible sourse said, and it was decided to permit the inspection without a court order but with the understanding that the question of state sovereignty be reserved pending outcome of similar cases now in court.

Gallion was not immediately available for comment.

The three members of the Jefferson County Board of voter registration are Walter Brower, chairman, George Bellsnyder and Richard M. Harris, all of Birmingham. All were appointed Nov. 30, 1959.

Jefferson County has about 140,000 registered voters. About 14,000 of them were Negroes. The 1960 census listed a population of 634,000 for the county.

34e 1961

More vote suits filed

WASHINGTON

The Justice Department moved ahead last week in its attack on vote denial in the South with the filing of three suits against Montgomery County, Ala., and Walthall and Jefferson Davis counties in Mississippi.

In a possible prelude to additional suits, voter records were photographed during the week in Elmore, Barbour and Russell counties in Alabama.

Warren Radler, the Justice Department attorney who accompanied the five FBI agents photographing the Alabama records, did not say, however, whether local complaints had led to his assignment.

* * *

THE THREE suits were filed, Justice Department officials said, in an effort to obtain court orders prohibiting discrimination against colored citizens who try to register to vote under the Civil Rights Act of 1957 and 1960.

Deputy Attorney General Byron R. White said in Washington that the local officials had failed to take action to end discriminatory practices.

The government, he said, went to court only after the failure of attempts to work out solutions with local officials.

THE ALABAMA complaint, filed in Montgomery, named the State of Alabama and County Registrars George Penton and Mrs. Samuella P. Willis as defendants.

According to the complaint, 29,615 of the county's 62,911 eligible white persons are registered to vote, while only 2,885 of the eligible nonwhites are registered.

The two Mississippi complaints were filed in Jackson and asked for court orders requiring the registration of qualified colored voters who have applied in the past.

All three suits allege that voting officials had applied "different and more stringest standards" to colored applicants than to white.

* * *

FOLLOWING THE filing of the suits at Jackson, government officials asked the court there for permission to inspect voting records. A hearing on the request is set for August 21.

* * *

THE STATE of Mississippi and County Registrar John Q. Wood were named in the Walthall, Miss., complaint. The state and James Daniel were named in the Jefferson Davis complaint.

In Walthall, the complaint stated, none of the 2,490 colored residents were registered, though many have made repeated attempts to do so.

In Jefferson Davis, about 1,200 of an eligible 3,222 colored are registered as contrasted to a majority of the 3,629 eligible whites.

Negro Voters' Suits Filed

By the Associated Press

The Justice Department yesterday announced it had filed three suits charging discrimination against Negroes seeking to register to vote in Walthall and Jefferson Davis Counties of Mississippi and Montgomery County, Ala.

The actions were brought under the Civil Rights Act of 1957 and 1960, and asked for Federal Court injunctions forbidding discrimination.

The State and county registrars were named as defendants in each suit.

In all three complaints, the court was asked to enjoin the defendants from "engaging in any act which would delay, prevent, hinder of discourage Negro citizens" from registering and voting.

ALABAMA AND MISSISSIPPI VOTE SUITS

The Mississippi complaints also asked for court orders requiring that qualified Negroes who have applied in the past be registered as voters, says Deputy Attorney General Byron R. White.

Mr. White said that "as in the past we have called the facts in these situations to the attention of the local officials in an attempt to work out solutions. We have gone to court only after these efforts failed."

The three cases brought the total of voting discrimination cases filed by the department to 14—four each in Mississippi, Alabama, and Louisiana, and one each in Georgia and Tennessee.

FILED HERE

The Alabama complaint, filed in the city of Montgomery, named George Penton and Mrs. Samuella P. Willis as county registrars.

It said that while approximately 29,615 of the county's 62,911 eligible whites are registered to vote, only 2,885 of the 33,056 eligible Negroes are registered.

In Montgomery, the registrars said the suit had been turned over to Circuit Solicitor William F. Thetford. The two registrars declined comment. Thetford was out of the city and could not be reached for comment.

The Montgomery complaint named Penton and Mrs. Willis and the state of Alabama as defendants. The complaint said Crum Dinkins was until his death in July 1961 a member and chairman of the board of registrars of Montgomery County. It made no further reference to Dinkins.

NOT LIMITED

It said the defendant board members "and previous members of the board, in conducting registration for voting in Montgomery County, Ala., have engaged in racially discriminatory acts and practices which include, but are not limited to the following:

"Applying different and more stringent registration procedures and standards to Negro applicants than to white applicants for registration in determining whether or not such applicants are qualified to register and to vote.

"Unreasonably delaying the registration of Negroes.

"Refusing to register qualified Negro applicants.

"Failing to notify Negro applicants of the rejection of their applications and the reason for such rejection."

The complaint said the acts and practices have deprived Negro citizens in the county of their right to register to vote without distinction of race or color.

It added that the deprivations have been and are pursuant to a pattern and practice.

Registrars Here Face U.S. Action

State, County Officials Accused Of Discrimination

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34e 1961

Open Files To Agents, State Told

Gallion To Comply With Judge's Order On Sumter Records

BIRMINGHAM (AP) — U.S. District Judge H. H. Grooms Monday ordered voter registration records in Sumter County opened to federal investigators. Attorney General MacDonald Gallion said he would comply.

Gallion said he advised the Sumter County Board of Registrars to allow federal inspection of the records.

"We have no alternative but to abey the mandate of the federal court, distasteful though it may be," Gallion said.

OVERTURNED INJUNCTION

Gallion's action came after Grooms overturned a state court injunction and ordered the records opened to federal investigators within 24 hours.

Grooms' order restrains Sumter officials from "seeking to enforce . . . the order entered by defendant Emmett F. Hildreth." Circuit Court Judge Hildreth issued the state court injunction which last June barred federal examination of the records.

Gallion issued a statement after the ruling in which he said: "The fault lies not so much with the federal district court but with the U.S. Supreme Court whose orders and mandates the district judges must follow."

Specifically, the judge, acting after a two-hour hearing on a Justice Department suit, made these rulings:

1. Under terms of the 1960 Civil Rights Act, the records must be opened for inspection by federal agents seeking possible evidence of racial discrimination in the qualification of voters.

TURNED DOWN

2. Overturned a state court injunction that had closed the records to federal agents. He held that federal agents' action under federal law took priority over the state court ruling.

Gallion said the records would be made available at the Sumter courthouse in Livingston.

Following the rulings, Gallion asked for court permission to be present when federal agents go over the records. Grooms turned him down.

The Sumter County case, one of five in Alabama, involving recent federal investigations of voting rights, started last June when the Justice Department asked for—and got—permission to inspect the records.

But with the job barely two hours old, Judge Mildreth issued an injunction barring anyone from examining the records except Gallion, the three members of the Sumter Board of Registrars, and Probate Judge W. E. Dearmen.

3,500 VOTERS

The Justice Department came back in December with the suit seeking federal court authority to inspect the records.

Sumter County, located in rural west Alabama on the Mississippi state line, has about 3,500 registered voters, about 300 of them Negroe, said E. C. Godfrey, chairman of the board of registrars.

He said registration has been going on as usual—with the board open for applications twice a month—since the federal agents first appeared seven months ago.

He said no Negroes have applied for registration in recent months.

The Justice Department said last June that its records showed Sumter County had a population of 8,700 Negroes of voting age with 175 of them registered.

In a prepared statement issued later Gallion said:

"We have never had any fear that the Sumter County records are anything but clean and in proper order. But we must never quit fighting for the right of the state of Alabama to handle and protect its records and its right to handle its own internal affairs."

Hearing Today On Voting Case

Government Asks Court To Order Sumter Records Opened To FBI

By The Associated Press

BIRMINGHAM, Ala., Jan. 22. — A hearing will start in United States District Court here Monday on efforts by the Justice Department to open voter registration records of Sumter County to Federal inspection.

In a suit filed last month the department asked the court to (1) dissolve a circuit (state) court injunction barring Federal inspection and (2) order the records open to Federal agents.

The injunction, issued last summer by Circuit Judge Emmett F. Hildreth, slammed the books in the faces of Federal agents. They were checking the records at the courthouse in Livingston, Ala., when notified.

Inspection Barred

The order barred all but Alabama Atty. Gen. MacDonald Gallion, members of the Sumter County Board of Registrars and Probate Judge W. E. Dearmen from inspecting the records.

Mr. Gallion and Sumter County officials replied Jan. 5 that congress "has no right" to interfere with state voter registration laws "at the mere whim of an appointed attorney general."

"The Civil Rights Act attempts to constitute judges of Federal courts as registrars of electors, regardless of (the electors') qualifiations," the reply said.

Act Challenged

The United States Fifth Circuit Court of Appeals last week heard and took under advisement a suit by Alabama challenging the constitutionality of the 1960 Civil Rights Act.

The state answer to the suit here asked that if the action is not dismissed, it should be held in abeyance pending final determination of the challenge pending before the apellate court.

Gallion To Fight For Sovereignty

Alabama Official Sounds His Battle Cry After Civil Rights Ruling

By United Press International

MONTGOMERY, Ala., Jan. 24.—Alabama Atty. Gen. MacDonald Gallion declared Tuesday night he would "fight all the way any cases involving state's sovereignty."

Gallion's battle cry came on the heels of a ruling by the Fifth Circuit Court of Appeals in New Orleans Tuesday dismissing Alabama arguments the 1960 Civil Rights Act is unconstitutional.

Asked if he had anything to say about the appellate action, Gallion replied, "I've just received a copy of the decision. It's three lines long. It doesn't say anything."

Asked if he would appeal the ruling, Gallion said "In all of the cases involving state's sovereignty, I will continue to fight. I will fight all the way to the highest court in the land."

Decisions Affirmed

The appellate court's ruling affirmed two lower court decisions—both dealing with voter registration records in Montgomery County.

Gallion labeled the cases among the most important in the field of Federal-state litigation that have been tried by my office.

"We have always felt," Gallion said, "that the 1960 Civil Rights Act was invalid and unconstitutional and that its application is illegal."

Two of the cases centered on Federal inspection of Montgomery County voter registration records last September. Federal agents sought evidence prospective Negro voters were being discriminated against.

In one suit, commonly known as the Crum Dinkens case because Dinkens is chairman of the Montgomery Board of Registrars, Gallion tried to prove the act was unconstitutional.

Second Case Suit

In the second case, the attorney general sued former United States Atty. Gen. William P. Rogers to require the Federal Government to produce all complaints, records, files and correspondence dealing with the Montgomery registrars to determine the basis of the suit against the board.

Gallion said the demand by the state for the Federal records was based "upon the right of an accused to know the accusers and the nature of the charges on which the accusations are made."

"We contend that what's sauce for the goose is sauce for the gander. If the Federal Government has a right to see state records, the state should be afforded the same rights."

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Sumter Vote Photo Task Nears End

LIVINGSTON, Ala. (AP)—Federal agents Thursday neared the end of their job of photographing Sumter County voter registration files.

The agents say they hope to finish Friday. They began the job last Tuesday, the day after a federal judge ordered the investigation to proceed.

The much-disputed work apparently created only slight interest here.

Earl C. Godfrey, chairman of the three-man board of registrars, has watched the work when time permitted.

Mayor Warren Grant and a few other persons dropped in to observe for a short period.

Grant asked about the cost of the investigation.

James L. Pugh, FBI agent in charge of the inspection team, replied:

"It would be hard to tell. This is just one of the many services the FBI offers the public."

Pugh said the men are just photographing the records. "The film will be sent to Washington," he explained.

U. S. District Court Judge H. H. Grooms last Monday overruled a state court injunction which had blocked the inspection. He also ordered that the records be made available within 24 hours.

MRS. WILLIS RETURNING

Registrar Vacancy Filled

Mrs. C. B. Willis, a former chairman of the Montgomery County Board of Registrars, has been reappointed to that board to serve out the unexpired term of the late Mrs. R. L. Lampley.

The appointment of Mrs. Willis was made by the State Board of Registrars — Gov. John Patterson, Agriculture Commissioner R. C. Bamberg and State Auditor Mary Texas Garner.

Mrs. Willis, a resident of 2114 St. Charles Ave., was a member of the voter registration board from 1951 to 1959, serving as chairman throughout that time.

Mrs. Lampley was named to the board in November, 1959. She died last Friday night following a brief illness.

Two other members of Montgomery County's registration board are Crum Dinkins, chairman, and George W. (Doc) Penton.



MRS. C. B. WILLIS
Named Registrar

In Bullock County— Registrars Name Own Attorneys

UNION SPRINGS, Jan. 26 (UPI)—Bullock County voter registrars announced today they have retained State Sen. Lawrence K. (Snag) Andrews and R. E. L. Cope, both of Union Springs, to defend them against Federal charges of discrimination against Negroes.

J. P. Thompkins Sr., J. W. Guthrie and K. S. Yon were made co-defendants along with the State of Alabama in a suit filed by the Justice Dept. in U. S. District Court in Montgomery last Friday.

The Justice Dept. seeks a Federal injunction barring the registrars from requiring voter applicants to be supported by two registered voters in the county. The complaint charges this policy prevents Negroes from being registered in more than token numbers.

Andrews, who successfully defended Bullock and Macon County Boards of Registrars on two previous occasions in Federal suits, said a reply to the accusations "will be filed in a few days."

U.S. Is Accused In Bullock Case

Gallion Says Government Is Discriminating Against Whites

By United Press International

MONTGOMERY, Ala., Feb. 3.—Alabama Atty. Gen. MacDonald Gallion Friday accused the Federal Government of discriminating against whites in its Civil Rights suit against the Bullock County Board of Registrars.

Gallion made the accusation in asking United States Middle District Court here to dismiss the Federal complaint against the Bullock registrars.

System Called Illegal

The Federal Government claims the so-called "voucher system" used by the registrars is "illegal and discriminatory" toward prospective Negro voters. The three-man board requires any person who wants to become a registered voter to have his application signed

by a registered voter vouching for his good moral character. No voter may vouch for more than two persons in any one calendar year.

Gallion said the issue already has been decided against the Government in state and Federal courts.

In seeking dismissal of the action, the attorney general said the Bullock board members "have the authority to establish such rules and regulations as they deem wise to the efficient discharge of the duties of the office; that such rules have the force and effect of law, and have been applied by them to all persons equally and without discrimination."

Rules 'Unconstitutional'

"The rules and regulations adopted by the board," Gallion argued, "already have in pertinent part been declared to be constitutional by the United States Middle District Court.

Gallion said, "Administration, application and execution by these defendants have been in accordance with the laws as declared by both the Federal and state courts and without unlawful discrimination as to race or color.

"The United States is itself acting in an unconstitutional and unlawful manner," the attorney general declared, "in that it seeks to have the pertinent rules and regulations declared invalid as to Negroes only, and seeks relief only as to Negroes, leaving the rules and regulations in force as to white persons, which in itself is an unlawful discrimination because of race or color."

FBI Ends Check Of Sumter Files

LIVINGSTON, Jan. 31 (AP)—Federal agents have packed their photography equipment and left the Sumter County courthouse in this West Alabama town.

The agents, checking voter registration records for possible evidence of racial discrimination, left after four days work, said Hart C. Godfrey, chairman of the three-man Board of Registrars.

Bullock vote suit tentatively set for trial

MONTGOMERY, Ala., March 10 (AP)—The Justice Department's suit to get more Negroes registered as voters in Bullock County has tentatively been set for trial the week of March 27.

Testimony will be heard by U. S. Dist. Judge Frank M. Johnson Jr., the same judge who presided over a similar hearing involving neighboring Macon County last month.

Johnson is expected to announce a ruling in the Macon County suit after opposing attorneys file written briefs next Monday.

In Bullock the federal government's complaint challenges the practice of requiring would-be voters to get two supporting witnesses to vouch for them. The vouchers must be registered voters, and no supporting witness can vouch for more than two applicants in a year.

Jefferson Vote Files Are Denied To Federal Attorneys By Gallion

By JANE ALDRIDGE

"The next move is up to Washington," declared Alabama Atty. Gen. MacDonald Gallion yesterday after denying two attorneys from the U. S. Justice Dept. opportunity to examine voter registration files in Jefferson County.

Gallion and three of his aides met the two attorneys who are assigned to the Civil Rights Division of the U. S. Justice Dept., in Birmingham yesterday and held a conference with them and with Jefferson County's Circuit Solicitor Emmett Perry and with the three-man Board of Registrars.

At the conclusion of the conference the two attorneys were given a "brief tour" of the registrars' offices on the first floor of the Jefferson County Courthouse.

"But they didn't look at the first file or paper," the atorney general said.

He explained he had agreed in an earlier telephone conversation with Burke Marshall, the assistant attorney general who is in charge of the States Rights Division and who had called him from Washington, just what he would permit in the way of an inspection of the Jefferson County records.

May See Specific Files

What he had agreed to then and what he told the two yesterday, he said, was just this: That since they say they have had complaints about refusal of voter rights to certain persons here, they could see the files of those specific persons.

He added he also would have no particular objection to letting them look over the files of other persons whose voter applications had been rejected.

But, he said, any effort on the part of Federal officials to go beyond those limitations would be construed as a "general fishing expedition" and would be resented "very much."

"Nothing To Hide"

"I told them that we have nothing to hide here in Alabama," he declared, "but this is a matter of principle and that if they attempt to go beyond these limits we can do nothing but conclude they are on a general fishing expedition and we will fight them bitterly in the courts."

He said the conference concluded on that note and so far as he knew, the two Federal attorneys, Frank Dunbaugh and Harold Flannery, are back in Washington, or on their way there, with that message from him.

Gallion said Marshall had called him a couple of weeks ago to explain the new "administration policy" on civil rights matters, which is to notify state officials before a demand is made concerning files.

He said he told the Federal official then that "we resent very much your coming down here in the first place and that these demands are considered an encroachment on the civil rights of the state."

But, he said, in view of Federal Court decisions in these cases, including the one by Judge Hobart Grooms of the Northern District Federal Court in Birmingham concerning the records in Sumter County, he reluctantly agreed to let them see the rejected applications and those other files relating to specified cases only.

Difference Emphasized

He pointed out there was considerable difference in opening up the comparatively few records in the Sumter office and the 150,000 records on file in the crowded and busy Birmingham office.

In addition, he said, Birmingham is in the midst of a heated municipal election campaign and if Federal officials had been permitted "just to move in" on the basis of a complaint or two they say they have, "they could disrupt the entire office and organization and thereby deny the privilege of registration to many citizens, both white and colored."

Gallion said that when he had pointed out these factors to Marshall in that earlier telephone conversation, Marshall had said he wanted to send the two attorneys to Birmingham "to look over the physical setup."

Look Over Office

So, the attorney general said, he let them look it over.

"They saw the cabinets in the office," he said, "and learned where and how the files were kept. We pulled some of the drawers open and let them see the files there. But they didn't look at the first file," he asserted.

He said in the conference preceding the inspection tour, Walter Brower, chairman of the Jefferson County Board of Registrars, and the other two members, had explained the registration procedure.

He said the men were told what questions were asked, how the records were filed and the general mechanics of the procedure, and, "then we took them on the brief tour for the purpose of sustaining our points about the physical difficulties in any grand scale check of records."

Gallion added that he is considering the possibility of permitting limited "spot checks" in the files, but had not yet made any commitment or agreement on that point.

With him at the conference were Willard Livingston, chief assistant attorney general for Alabama, and Gordon Madison and Leslie Hall, both assistant attorneys general.

Board of Registrar members and Solicitor Perry declined comment after the conference, declaring they were willing for Mr. Gallion to be the spokesman for them all.

The Federal attorneys also declined comment.

Bias Charged To Registrars

Justice Department Asks Open Voter Records In Alabama Case

By United Press International

MOBILE, Ala., April 13.—The Justice Department Thursday accused the Dallas County Board of Registrars of discriminating against Negroes and asked the voter records be opened for Federal inspection.

In the first voting rights suit filed since Robert Kennedy became United States attorney general, the department asked Federal District Judge Daniel H. Thomas to issue an injunction restraining the board from discriminating against prospective Negro voters.

Hearing To Be May 29

The Federal complaint named board member J. P. Majors of Safford and the State of Alabama. Judge Thomas set a hearing on the motion for inspection of records for May 29 at Selma, Ala.

In the Southern District of Alabama, Federal Court cases are heard both here and in Selma with Judge Thomas presiding at both courts.

The complaint, brought under the Civil Rights Acts of 1957 and 1960, claims the Dallas County board has been short of two members since Nov. 30, 1960, and that "since Nov. 30 the board has failed to function."

The suit listed several practices by which "Negroes who are qualified to vote have been and are being deprived of the right to vote without distinction of race and color."

Discrimination Charged

The suit said Alabama law requires members of the board to receive and pass upon applications for registration and in so doing, the board members must determine whether each applicant is qualified to vote.

It said prior to Nov. 30, 1960, the defendants have engaged in racially discriminatory acts and practices which include:

More stringent standards to Negroes than to white applicants in determining prospective voter qualifications.

Unreasonable delay in the registration of Negroes.

Failing to notify Negro applicants of actions or decision by the board.

Ignoring the applications of qualified Negroes.

Failing to provide a full-time board of registrars "knowing that the vast majority of Negroes of voting age have not yet become registered voters and that the vast majority of white persons of voting age in the county were already voters."

The suit asked Judge Thomas to issue an injunction preventing the board from further discriminatory practices and to order the board to drop its practice of using different standards for white and Negro prospective voters in the study of applications.

Probe pending—

Registrars say 'nothing to conceal'

BY HUGH W. SPARROW, News staff writer

Jefferson County's registrars are not greatly concerned over the likelihood that federal civil rights agents will check into and photograph county voter registration records, Board Chairman Walter Brower said today.

"We have nothing to conceal," he said, "and we think we acted wisely and according to law in rejecting some of the applicants for registration.

"During the 16 months this board has been in action we have considered between 12,000 and 15,000 applications for registration. We have registered about two out of every three of the Negro applicants. Those who were not registered were disqualified because of illiteracy, immorality or having been convicted of an offense involving moral turpitude."

BROWER, A BIRMINGHAM ATTORNEY, pointed out that the law permits an applicant who has been denied registration to appeal to Circuit Court without having to post bond for court costs. The applicant, moreover, has the right to lay his case before a jury or before the judge.

"Since we have been on the board only two appeals have been taken—both by white people," he added.

The board chairman said Jefferson County now has about 140,000 qualified voters. He estimated 10 per cent were Negroes. The Negro population of Jefferson, he added, has decreased from 37.3 per cent in 1950 to 34.6 per cent in 1960.



SPARROW

Chairman Brower said if civil rights agents set out to photostat all applications handled by the board the last 16 months they would soon find they had tackled a tough job. To photostat all four pages of each printed application would mean a record of 64,000 pages.

It could be, he added, that what the agents have in mind regarding Jefferson is to conduct a "fishing expedition." In other words, to search the records just in the hope that something would turn up.

IN DESCRIBING STEP BY STEP the filing of applications for registration and the board's action on those applications, Chairman Brower said the board requires a lapse of one year before a rejected applicant can file a new application for registration.

He disclosed also that in addition to the filling in of a 22-question questionnaire, applicants may be required to undergo an oral examination.

"When an applicant for registration appears," Chairman Brower said, "he is given a questionnaire compiled by the Alabama Supreme Court. The 22 questions are intended to show the applicant's mental qualifications and his understanding of the duties of citizenship.

"Each person, unless he is blind or otherwise incapacitated, is required to fill out the questionnaire without aid from anyone.

"IT HAPPENS SOMETIMES—INVARIABLY in the cases of some Negro applicants—that an applicant will start immediately to copy answers someone else has written in a form identical to the questionnaire.

"Long before this board went into office photostats of the questionnaire with answers written in were in circulation.

"When we find applicants copying from such prepared questions and answers we take up the copy, attach it to the application and disqualify the applicant. The reason is the law expressly requires an applicant to answer his own questionnaire.

"Questions in the questionnaire are not difficult. Anyone with an average education desiring to vote should be able to answer them.

"Some of the applicants, Negroes particularly, state in their applications that they are high school graduates. But it sometimes happens that by their own writing and spelling they prove they are not high school graduates but actually border line illiteracy cases.

"Most of the applications of that pattern are denied, since illiteracy is a very definite grounds for rejection.

BROWER SAID THAT AFTER A PERSON has turned in his application and the answers to the questionnaire a board member usually goes over the record with him. Applicants then are notified they will hear from the board within 10 days.

"During that interval," Brower said, "it frequently happens that a check of the records discloses an applicant has been convicted of an offense involving moral turpitude or that a woman applicant has an illegitimate child or children.

"In such cases they are called before the board and questioned. Often they admit the disclosures.

"On the other hand, if there is nothing standing in the way the board usually goes ahead and registers the applicant and notifies him by mail.

"THE MAN WITH THE CONVICTION RECORD and the woman with the illegitimate children are both rejected. A Negro woman asked me on one occasion 'What does my children have to do with my voting?'

"We tell her that having illegitimate children is a standard grounds for rejection; that the U. S. government will not issue a visa to a woman to visit the United States if she has a record of illegitimacy.

"On the other hand, it happens that Negro men often think that conviction of an offense involving moral turpitude means conviction of a felony. They do not seem to understand that a morals offense may be a felony or a misdemeanor."

BROWER SAID ONLY RECENTLY HE HEARD of a possible check of voting records in Jefferson. He said he has business in New York requiring him to be there three days a month. While in New York on his last visit, he said, Burk Marshall, assistant attorney general of the U. S. in charge of civil rights law enforcement, phoned him in his hotel.

He was told, he said, that federal agents wanted to check their records. Brower said he referred Marshall to Alabama Atty. Gen. MacDonald Gallion.

Although Gallion has not notified him of the final decision, Brower said it was his understanding that an inspection would be permitted.

Besides Chairman Brower, the Jefferson board is composed of George Bellsynyder and Richard Harris.



News staff photo—Tom Se

"WE HAVE NOTHING TO CONCEAL"
. . . Registrars Chairman Walter Brower

GOV. JOHN PATTERSON'S REAPPORTIONMENT PLAN

HOW LEGISLATURE WOULD LOOK FOLLOWING PROPOSED SHUFFLE

The Montgomery Advertiser
Montgomery, Ala.
Sat. 4-15-61

County	Present House	Proposed House	Present Senate	Proposed Senate
Autauga	1	1	1/3	1/2
Baldwin	1	2	1/3	1/2
Barbour	2	1	1	1/2
Bibb	1	1	1/2	1/2
Blount	1	1	1/3	1/2
Bullock	2	1	1/2	1/2
Butler	2	1	1/3	1/2
Calhoun	2	3	1	1
Chambers	2	2	1/2	1/2
Cherokee	1	1	1/2	1/2
Chilton	1	2	1/3	1/2
Choctaw	1	1	1/3	1/2
Clarke	2	2	1/3	1/2
Clay	1	1	1/3	1/2
Cleburne	1	1	1/3	1/2
Coffee	1	2	1/3	1/2
Colbert	1	2	1/3	1/2
Conecuh	1	1	1/3	1/2
Coosa	1	1	1/3	1/2
Covington	1	2	1/3	1/2
Crenshaw	1	1	1/3	1/2
Cullman	1	2	1/3	1/2
Dale	1	2	1/2	1/2
Dallas	3	2	1	1
DeKalb	1	2	1/2	1/2
Elmore	2	2	1/2	1/2
Escambia	1	2	1/3	1/2
Etowah	2	3	1/2	1
Fayette	1	1	1/3	1/2
Franklin	1	1	1/3	1/2
Geneva	1	1	1/2	1/2
Greene	1	1	1/2	1/2
Hale	2	1	1/2	1/2
Henry	2	1	1/2	1/2
Houston	1	2	1/2	1
Jackson	2	2	1/2	1/2
Jefferson	7	11	1	1
Lamar	1	1	1/3	1/2
Lauderdale	2	2	1/2	1
Lawrence	1	1	1/2	1/2
Lee	2	2	1/2	1/2
Limestone	1	2	1/2	1/2
Lowndes	2	1	1	1/2
Macon	1	2	1/2	1/2
Madison	2	3	1	1
Marengo	2	2	1	1/2
Marion	1	1	1/3	1/2
Marshall	1	2	1/2	1/2
Mobile	3	5	1	1
Monroe	1	1	1/3	1/2
Montgomery	4	4	1	1
Morgan	2	2	1/2	1
Perry	2	1	1/2	1/2
Pickens	1	1	1/2	1/2
Pike	2	2	1/3	1/2
Randolph	1	1	1/2	1/2
Russell	2	2	1/2	1/2
Shelby	1	2	1/3	1/2
St. Clair	1	1	1/2	1/2
Sumter	2	1	1/2	1/2
Talladega	2	2	1	1
Tallapoosa	2	2	1/2	1/2
Tuscaloosa	2	3	1	1
Walker	2	2	1/3	1
Washington	1	1	1/3	1/2
Wilcox	2	1	1	1/2
Winston	1	1	1/3	1/2
TOTALS	106	120	35	40

(one-third equals means the county belongs to a three-county district; one-half means two-county district)

Black Belters Would Suffer Most Under Patterson Plan

The Montgomery Advertiser
Montgomery, Ala.
Sat. 4-15-61
P. 1

The Black Belt counties of Alabama would suffer the most if Gov. John Patterson's reapportionment plan is approved by the legislature and ratified by the voters.

It is generally agreed that the Black Belt is made up of 14 counties, extending diagonally from the Mississippi line southeastward to the Georgia line.

The 14 counties listed as making up the Black Belt are Pickens, Sumter, Greene, Hale, Perry, Marengo, Dallas, Wilcox, Lowndes, Crenshaw, Bullock, Macon, Butler and Barbour.

At the present time these counties have 25 seats in the House and a fraction over nine seats in the Senate.

Under the Patterson proposal these same counties would have but 17 House seats and 7.5 Senate seats.

The reduction is proportionately greater when consideration is given that the size of the House and Senate would be increased.

At the present time these 14 counties have 23.5 per cent of the House seats and 25 per cent of the Senate seats. Under the new plan their House percentage would drop to 14 while in the Senate they would represent but 18.6 per cent of the total.

Administration Charges Alabama Discriminates Against The Negro Voter Applicants; Suit Is Filed

Atlanta Daily World Atlanta, Ga 2 ns 4-14-61 P. 1

Judge Asked To Register All Who Equalled "Least Qualified" White Applicant Who Was Given Approval

By PATRICK HARDEN
(United Press International)

MOBILE, Ala. (UPI)—The Kennedy administration filed its first voting rights suit Thursday, charging the state of Alabama and the Dallas County Board of Registrars with discriminating against Negro voter applicants.

It was the seventh of such suit filed against Alabama counties. Previous actions were intiated by the administration of former President Eisenhower.

Thursday's suit was filed by the Justice Department in U. S. District Court here.

It asked for an injunction to halt the alleged discriminatory practices and demanded the Dallas County voter records be open for federal inspection.

The suit said that while there were approximately 15,115 Negroes of voting age in the southwest Alabama County, only 156 were registered. It pointed out that by 9,195 of the county's estimated 14,400 white persons were registered voters.

The complaint, brought under the Civil Rights Acts of 1957 and 1960, claims the Dallas County board has been short two members since Nov. 30, 1960 and that "since Nov. 30 the board has failed to function."

It said prior to Nov. 30, 1960, the defendants have engaged in racially discriminatory acts and practices which include:

— More stringent standards for Negroes than for white applicants in determining prospective voter qualifications.

— Unreasonable delay in the registration of Negroes.

— Failing to notify Negro applicants of actions or decision by the board.

— Ignoring the applications of qualified Negroes.

— Failing to provide a full-time board of registrars "knowing that the vast majority of Negroes of voting age have not yet become registered voters and that the vast majority of white persons of voting age in the county were already voters."

The suit asked U. S. District Judge Daniel H. Thomas to order the board to "register all Negroes in Dallas County who have applied for registration and who possessed at the time of the applications the qualifications of the least qualified white person who applied during the same year and was registered."

Thomas immediately set a hearing on the motion for inspection of records for May 29 at Selma, Ala., the county seat.

Bullock Negroes Charge Threats, Intimidation

From Post-Herald Birmingham Ala. 3-29-61 34e

Inability To Obtain Supporting Witnesses Told To Federal Judge

MONTGOMERY, March 29 (AP)—Negro witnesses testified today that they ran into resistance when they tried to get white voters in Bullock County to vouch for them when they attempted to register to vote.

Some of them testified further that even when they produced supporting witnesses in compliance with a contested rule of the vote registration board, they still were turned down.

And one Negro said a former registrar threatened him with an attempt to put him in prison when he sought to register. The same registrar earlier had been quoted as previously telling a group of Negro applicants to "get the hell out" of the courthouse.

Government prosecutors rested their case late this afternoon after calling 19 witnesses to the stand.

Despite the testimony designed to show discrimination, only one Negro told the court he had been rejected by the present registration board. All of the other testimony concerned registrars who served earlier.

Questions Not Answered

The one witness who said he had been rejected by the current three-member board conceded under cross examination that on the two occasions when he filled out application blanks, he failed to complete the questionnaire required by law.

The testimony came at the first day of a hearing on a Justice Dept. suit aimed at getting more Negroes registered as voters in the South Alabama county. The disputed supporting witness, or voucher, rule is a key issue in the suit.

Federal attorneys tried to get some of the witnesses to say what white voters told them when they refused to vouch for them. But U. S. Dist. Judge Frank M. Johnson Jr. ruled out that type of testimony as hearsay.

In challenging the voucher rule, the Justice Dept. contends it automatically restricts the number of new Negro voters because white persons are reluctant to appear in behalf of Negroes, and there are only five Negro voters in the county.

The registration board in the past has allowed each voter to vouch for no more than two applicants a year, but board members in a pre-trial inquiry have agreed to waive that two-a-year limitation.

Minister Testifies

The testimony that former registrar Allen J. Tucker had threatened to "do my best to put you in the back side of the penitentiary" came from a 70-year-old Negro minister, the Rev. I. H. Robbins.

The minister said Tucker made the remark when he tried to register in December, 1955.

The defense, in an effort to discredit the witness, brought out that he recently paid a fine for leaving the scene of an automobile accident in which a man was killed. Robbins said someone else had run over the man and that he didn't know there was a body in the road.

An earlier witness, speaking of Tucker, had testified that the Union Springs businessman before he became a member of the Bullock Board of Registrars had once told a group of Negroes to "get the hell out" of the courthouse.

Although the Negro witnesses said they ran into trouble with the contested voucher policy, one of them, Aaron Sellers, said he knew of no applicant being rejected because of inability to get a voucher since the three present registrars took office in January, 1959.

But he testified at the same time that in earlier years there had been instances of applicants being turned down because they had no supporting witness.

Six Attempts Made

Sellers made six registration attempts before even being allowed to fill out an application, he told the court, and then he was finally rejected.

Sellers also testified that, when he went to the board of registrars' office in Union Springs in 1954, Tucker told him to "get the hell out of the courthouse."

Two years later when he made another atempt to register, the witness said, he found that Tucker had been appointed a voter registrar. Sellers said that time he was not allowed to apply because he had no voucher.

Raynard Grady, another Negro witness who said he was rejected, testified he was turned down once on grounds that the supporting witness he produced had already vouched for his quota of two persons that year.

Statement Unsigned

He admitted under cross-examination that on his application he failed to sign a statement vowing to defend the United States and the U. S. Constitution. Grady explained it was "just an oversight, I guess."

Defense Atty. Lawrence K. Andrews of Union Springs also brought out testimony that Grady had asked two Negro voters to vouch for him and they refused. Judge Johnson then took up the questioning on behalf of the court and asked Grady why the two Negroes had turned him down.

Grady quoted one Negro voter as saying "the word had been passed" to his wife that she would be fired from her schoolteaching job if he vouched for Negro voter applicants.

Another witness, Wilbur Thomas, testified that three white voters refused to vouch for him. A fourth white man told him he would appear as a witness for him, Thomas said, but he never found out if the man did.

Andrews brought out in cross examination of one witness, Murray Lee Foster, a Montgomery Negro school teacher, that he was registered as a voter in Barbour County in 1952 while at the same time claiming a homestead exemption on his house in Bullock County.

Alabama Atty. Gen. MacDonald Gallion's office said that under the law, Foster would have to be a legal resident of Barbour County to qualify as a voter there or a legal resident of Bullock County to qualify for homestead exemption on his property taxes there, but that he could not be both at the same time.

No Token Investigation

Birmingham World 5/18

This newspaper does not believe that tokenism should be extended to the investigation of alleged hostile denial of a full and unhampered opportunity to register and vote. For that reason it is to be hoped that the U. S. Department of Justice will get at the bottom of voter-registration practices in Jefferson County: let there be a total investigation. Birmingham Ala.

Federal investigators have been rebuffed in Jefferson County in their effort to get a look-see at the voter-registration records. Alabama authorities have ruled that only part of the records will be made available for inspection. Alabama's suggested formula is to limit the check to actual complaints which have been filed. It is hard to see how the Department of Justice could permit the Alabama officials to tell them how to investigate and how to check. Here is a serious challenge, which, if not met firmly by the representatives of the Federal government could set back American democracy for the next half century.

Something would seem to be wrong with a voter-registration process that yields no better than the one in this county. Of 121,000 Negro persons of voting age, less than 14,000 have their names on the poll lists. There are 17 high schools, two colleges and some adult schools which serve this segment. One of the purposes of public education is to prepare its citizens to function intelligently. Either our educational system is wrong or our registration system is wrong. Sat. 4-15-61

For how else can one account for so few voters among the Negro group? In addition, we have the powerful daily press and other mass media which are supposedly dedicated to developing informed citizenry. Who can deny that our group reads the daily press and uses other media? Look at the pitch made by those who try to sell the Negro market to advertisers? Does this mean that members of the Negro group are good enough to buy but not good enough to merit the ballot? This is an oblique challenge.

A group with the economic power of the Negro group in Birmingham should be able to make those from whom he buys speak up for his right to vote. The time has come for our group to use speaking dollars. It is time to let Washington know that a full investigation of the right to vote should not be tokenized in Jefferson County.

If the registration officials have nothing to hide as they say, why not let the investigators check? That would do more than anything else to cramp their style and to make them watch their step than anything else, we believe. In self-interest the voter-registration screeners would be better advised if they opened the records.

It will be hard for the fair-minded to be convinced that there is nothing to hide when the auditors of freedom come to check the liberty books. The vote is a federally-protected right. There is a ban against its denial because of race written into the Fifteenth Amendment.

It is cold soup to cry invasion of states' rights when those charged with protecting a federal right come in to take a look. The Justice Department has the Congress-provided right and the constitutional duty to check into the registration practices of any county where there are complaints, it seems to us.

Courthouse roundup—

Slow county voters given warning on reidentification

P. A 6 The Birmingham News
Sun. 9-24-61

BY LOU ISAACSON
News staff writer

Jefferson County Board of Registrar officials Saturday issued a stiff warning to citizens who have not yet reidentified themselves as voters this year.

"The warning it this," said Chairman Walter Brower—"if those who are qualified voters have not reidentified themselves by Jan. 1, 1962, they will automatically be dropped from voter lists."


ISAACSON

Brower emphasized the board "has no discretion in the matter, because we have to go by the letter of the law."

"We feel that there are going to be a lot of unhappy folks next year when they find themselves struck from the voter lists," Brower added.

Of some 140,000 qualified voters in Jefferson, only about two-thirds have been reidentified.

"THERE ARE STILL approximately 40,000 persons who have only three more months to be reidentified," Brower said.

J. D. Smith, executive assistant to the board, expressed disappointment over the number of tardy voters.

Smith organized a system of distributing reidentification forms to strategic locations throughout the county.

"We received excellent cooperation from industry, civic leaders, churches and many other organizations for the distribution of the forms," Smith said.

"But we just haven't been getting the response we should from the citizens themselves," Smith added.

SMITH POINTED out that several important elections will be held within the next three months, as well as county and statewide elections next year.

"But there will be hundreds of persons who will not get to vote in these elections unless they reidentify themselves," Smith warned.

Officials also pointed otu that there are still many persons who are sending improperly filled out reidentification forms to the board office.

Mistakes include not signing the forms, failure to get signatures of two qualified voters as witnesses, or failing to answer specific questions.

Feds Renew Fight To See Wilcox Files

MOBILE (AP) — The Justice Department will renew Tuesday legal efforts to obtain voter registration records in Wilcox County, where no Negroes vote.

The hearing before U.S. Dist. Judge Daniel H. Thomas is on a motion by the government seeking dismissal of a state court's order barring the FBI from examining Wilcox voter records.

Negro residents of the southwest Alabama county outnumber white persons by approximately three to one. Members of the county's board of registrars have claimed in affidavits that no Negro has tried to register with them in at least 13 years.

FIRST TRIED IN 1958

The U.S. Civil Rights Commission first attempted in 1958 to make an inspection of the Wilcox records. However, the record books were placed in custody of the county grand jury. They were passed on to each succeeding grand jury.

FBI agents asked the board of registrars on May 12, 1960, for the records. They were refused, and Circuit Judge James H. Hare of Selma issued a temporary injunction May 20 restraining federal officers from examining the records.

Alabama Atty. Gen. MacDonald Gallion requested the injunction. He questioned the constitutionality of the 1960 Civil Rights Act.

Government attorneys quickly moved to take the case into federal court on grounds of diversity of citizenship in that the opposing parties to the suit live in different states.

REQUEST COURT ORDER

Then followed a motion asking the federal judge to dismiss the state court's injunction on grounds that the court did not have jurisdiction, and finally a Justice Department request for a federal court order directing the registrars to produce the records for inspection.

Also before the federal court in Tuesday's hearing is a motion by the state of Alabama to dismiss the federal government's request for the order requiring the registrars to open their books for examination.

Members of the Wilcox Board of Registrars are William H. Bruce, Cecil C. Rogers and Mrs. Duane Norberry.

Wilcox Vote Inspection Plea Denied

Judge Dismisses Federal Complaint, 'No Discrimination'

MOBILE (AP) — A Federal judge Friday refused to grant a U. S. Justice Department request for a court order opening voter registration records of a rural southwest Alabama county to inspection by federal agents.

U. S. Dist. Judge Daniel H. Thomas granted a motion by the Alabama Attorney General's office to dismiss the federal complaint against the Wilcox County Board of Registrars. The judge heard arguments on the motions June 13.

At that hearing, Asst. State Atty. Gen. Gordon Madison argued that no Negroes have applied for voter registration in Wilcox in 50 or more years. Madison, contended, therefore, that the board could not have engaged in racial discrimination.

NO APPLICATIONS

The state official said the registrars simply never have been called upon to pass on a Negro's application for registration in modern times.

An attorney for the justice department's civil rights division, Robert Owen of Washington, argued at the hearing that Congress had given the U. S. Attorney General the right to examine registration records.

Owen contended the action was similar in most respects to one in which a federal judge at Montgomery had ordered the Montgomery County registrars to open their books to examination by FBI agents.

Justice Department officers have examined records of several Alabama counties under federal court order.

GRAND JURY CUSTODY

Wilcox, an agricultural county with Camden as the county seat, has a population of more than 18,000, of which about 12,000 are Negroes. Court officials said no Negroes have voted in the county in many years.

The civil rights commission first attempted to check the Wilcox records in 1958. However, they were placed in custody of the county grand jury and were passed on to each succeeding jury.

Representatives of the U. S. attorney general's office asked May 12, 1960, that the voter records be produced. State Circuit Judge James H. Hare of Selma then issued a temporary injunction barring federal authorities from obtaining the records.

The case was later moved to federal court on motion of the Justice Department.

Justice Department rebuffed—

The Birmingham News p. 11

U. S. judge refuses to open Wilcox voter rolls

Sat. 9-30-61

Court gives no reason for its turndown

Birmingham Ala.

MOBILE, Ala., Sept. 30—A federal judge Friday turned down the Justice Department's plea to let it look over the voter registration records of Wilcox County.

District Judge Daniel H. Thomas didn't explain why he was going along with the Wilcox Board of Registrars' motion that the records be kept closed.

The action was another in a series of rebuffs for the Justice Department since it started to get the records in 1960. The department's failures followed two years of similar vain attempts by the Civil Rights Commission.

Wilcox County, in the Black Belt, has more Negro than white residents—but it has no Negro registered voters among the more than 8000 of voting age. All but a few of Wilcox' elegible white voters are registered.

The Civil Rights Commission and the Justice Department claimed that the Wilcox voter registrars discriminated against Negroes.

Board members said they could not recall the last time a Negro tried to register to vote in Wilcox County.

THE RULING contrasts with U. S. District Judge Frank Johnson's order opening the Montgomery voter records.

The Justice Department is expected to take its plea to higher courts.

Asst. State Atty. Gen. Gordon Madison argued on June 13, when the registrars' motion was heard, that no Negroes have sought to register to vote in the county in at least 50 years. He contended that under these circumstances the present board could not have engaged in racial discrimination.

A Justice Department attorney, Robert Owen, argued that Congress had given the U. S. attorney general the right to examine registration records.

THE CIVIL RIGHTS Commission first sought to check the Wilcox voter records in 1958. But the records were placed in custody of the County Grand Jury and have been passed on to succeeding juries.

The U. S. attorney's office asked in May, 1960, that the records be produced. Circuit Judge James H. Hare of Selma then issued a temporary injunction barring federal authorities from gaining access to them.

The Justice Department later moved the case to Federal Court.

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ALABAMA

DEC.
MONTGOMERY COUNTY VOTER (FEDERAL SUIT
REGISTRARS

Registrars Quizzed By U.S. Attorneys

Federal attorneys Wednesday quizzed Montgomery County voter registrars Mrs. C. B. Willis and George W. Penton and Mrs. Mary Phelps, an employe in the probate judge's office, in connection with a federal suit charging discrimination against Negro voter applicants.

The suit has not yet been set for a hearing.

A representative of the Alabama attorney general's office said the local officials were questioned largely on procedures used in registering voters.

OCTOBER
MONTGOMERY IMPROVEMENT ASSOCIATION

Defeat Of 'Anti-Negro' Candidates Goal Of Registration Drive, Abernathy Says

The Rev. Ralph Abernathy Friday said defeat of white candidates who run solely on an "anti-Negro platform" is the goal of the current Negro voter registration drive in Montgomery.

However, Abernathy, president of the pro-integration Montgomery Improvement Association, said "we want both Negroes and whites to unite and keep demagogues from gaining public office."

If moderate and liberal whites joined forces with Negroes at ballot boxes, the Negro leader said, candidates would change their views on the race question.

CITIES ATLANTA

He cited Atlanta as an example of how joint endeavors of these two groups have removed the race issue from politics and created what he described as a "healthy situation."

"It's inconceivable that a candidate can run entirely on an anti-Negro platform in Alabama and still win," Abernathy said.

There are too many roads to be paved, schools to be built and too much economic progress to be made for Alabama voters to elect a man merely because of his pro-segregation stand, he said.

GREAT STRIDES'

Negroes have accomplished great strides toward bringing about equality of the races in Georgia, Abernathy said. He praised Georgia Gov. Ernest Vandiver for retreating from his vigorous segregation policies, calling him a "great statesman."

He attributed Vandiver's change in attitude to the continuing registration of Negro voters.

The MIA leader said former Gov. James E. (Big Jim) Folsom stands far above all other ex-governors in providing "fair and impartial treatment to Alabama Negroes."

Folsom never ran as an anti-Negro candidate, but on platforms geared to growth and economic progress in the state, Abernathy said.

Only through the election of a progressive governor, he argued, will Alabama achieve the economic and social progress "it has been denied for the past hundred years."

"We can elect a man of this type if moderate and liberal whites join with Negroes at the polls," the Negro integration leader said.

Abernathy admitted the MIA has encountered some difficulty in its drive to register Negro voters in Montgomery County.

The main handicap in getting Negroes to file registration applications, he explained, is "their knowledge that all the candidates will be staunch segregationists. It disillusions them to know they have little choice," he said.

Through the efforts of "good citizens of both races," Abernathy said, "reactionaries could be prevented from assuming public office."

MORAL SUPPORT

The MIA leader said the U.S. Justice Department is giving local Negroes its "moral support" in their attempts to become registered voters.

Abernathy said he talked with Burt Marshall, head of the Justice Department's Civil Rights Division, several weeks ago and the federal official said "the ballot is the major means of ending discrimination in the South."

He is keeping the Justice Department informed of developments in the current registration campaign, he said.

The MIA leader accused the Montgomery County Board of Registrars of employing "all kinds of delaying tactics to prevent Negroes from registering."

Abernathy said the MIA is primarily responsible for the voter suit now pending against the board in federal court.

I WANT VOTE

"We don't want special privileges," the Negro integration leader said. "We are patriotic citizens and just want to be able to vote, take part in government and join the Alabama National Guard like other citizens."

Abernathy said race relations have retrogressed in Montgomery since the U.S. Supreme Court issued its 1954 desegregation decision. "Some of the more progressive Southern cities have at least complied to some extent with the decision, but city officials in Montgomery are even opposed to token equality," he said.

Negro leaders in Mobile are proud of their city because of the liberalism of its municipal government, he said. These leaders, he said, vetoed a suggestion that "Freedom Riders" be sent to Mobile to test bus station segregation laws.

"The Negroes in Montgomery have nothing to be proud of," Abernathy said. "We might as well be dogs as far as city officials are concerned."

Rights sleuths study new state registration proposal

The Birmingham News

BY HUGH W. SPARROW, News staff writer

MONTGOMERY, Ala., Nov. 18—U. S. Civil Rights sleuths are showing a surprising interest in the new state registration board amendment, and some here are wondering if they hope to knock it out in the courts even before the people can vote on it.

The proposal under close scrutiny would set up a State Board of Registrars. That agency would grade all voter applicant examination papers—submitted to them by county registrars by number only and not with the name and race of the applicant showing.

The state board would return the graded papers to the local board with recommendation that the applicant be approved or rejected.

The amendment's sponsor, Bullock Sen. Lawrence K. Andrews, insists the proposal is intended to assure both white and Negro voter applicants the same equal chance for approval.

Civil rights investigators are digging in, reportedly to ascertain whether the underlying purpose behind it is to make it all the harder for Negroes to qualify as voters.

mitted that the bill offered both white and Negro applicants the same chance for qualifying.

But a few minority senators expressed the view that, with a state and county registration system centralized by one law, an arbitrary court could demoralize the state's registration system by one ruling.



SPARROW

Lot of checking

NICK FLANNERY, the Justice Department attorney, has been doing a lot of checking. Recently he placed Sen. Andrews under the oath and cross examined him. Sen. Andrews is said to have insisted that the plan makes it all the more different for registration officials to discriminate against Negro applicants, even if they so desired.

Sen. Andrews also insisted that his plan is intended to be one which would stand up under court attack.

Flannery is reported to have questioned—also under oath—a Huntsville woman who actively lobbied for passage of the bill by the Legislature last Summer.

Sides agree

WHEN THE ANDREWS bill came up for passage in the Senate, there was some objection to it. Proponents and opponents ad-

Ratification

THE PENDING amendment will not come up for ratification until May 1. Voters will ballot on it at the same time they go to the polls to vote in the state Democratic primary.

Because election day is six months in the future, many are wondering why so much work is being done in opposition to the amendment now. That is, unless the plan is to go ahead and start court action as soon as possible.

In either event civil rights authorities face a problem.

If they were instrumental in getting the amendment ruled unconstitutional before the people of Alabama can vote on it, there would be sharp criticism. But apparently the criticism would be even sharper if civil rights authorities took action after a majority of Alabama voters had OK'd the amendment.

Boutwell traveling

FOR A MAN who hasn't yet made up his mind regarding the 1962 governor's race, Lt. Gov. Albert Boutwell is doing a lot of traveling these days. His weekly schedule carries him up and down the state, to civic club meetings, conventions and other places where many people gather.

He was asked, "What is it the people are thinking about most these days?" and Boutwell said:

"They favor a dignified state administration. Because of the decline of agriculture in many areas they are realizing more than ever that the state administration should be favorable to industry and that the door should always be open to new industry seeking a location in Alabama."

In other words they get no kick out of hearing industry labeled as "the Gotrocks," "The Big Mules," etc.

Industry backed

JUDGE GEORGE WALLACE, likewise doing a lot of handshaking, says he's 100 per cent for new industry moving into Alabama. And he adds that his "Wallace Act" of 1952, providing a plan for encouraging new industry to come to Alabama, has paid off many times.

"Drop in on any county and inquire about the new industries," he said, "and it's always the same story. Most of the new industry took advantage of the Wallace Act in locating in Alabama."

34e 1961

Split vote would form large blocs

News Capital Bureau

MONTGOMERY, Ala., Aug. 5—Jefferson County's votes would become the largest bloc in three of the four congressional districts among which they would be split under the redistricting bill passed Friday by the state Senate.

In two of the four new districts—Rep. Kenneth Roberts' Fourth and Rep. Carl Elliott's Seventh—the Jefferson votes would represent 32.2 per cent of the total voting strength.

The Jefferson votes would represent 24.2 per cent of the total vote in Rep. Albert Rains' Fifth District and 12.1 per cent of the total vote in Rep. Armistead Selden's Sixth District.

Rep. Elliott, of Jasper, would get the largest share of Jefferson's 137,853 voters—46,378. The remainder would be divided as follows: Rains, 40,754; Roberts, 39,194; and Selden, 11,707.

ADDITION OF the Jefferson vote would give the following totals for the four districts:

Rains, 163,007; Elliott, 140,609 Roberts, 121,685, and Selden 95,966.

Here's the county-by-county vote of the proposed new districts:

FOURTH DISTRICT (ROBERTS)

County	Voters
Jefferson	39,194
St. Clair	9,000
Calhoun	26,557
Talladega	20,516
Clay	7,579
Coosa	4,600
Autauga	4,739
Elmore	9,500
	121,685

FIFTH DISTRICT (RAINS)

Jefferson	40,574
Marshall	19,225
DeKalb	20,000
Etowah	34,681
Cherokee	8,000
Cleburne	5,603
Randolph	8,915
Tallapoosa	14,300
Blount	11,709
	163,007

SIXTH DISTRICT (SELDEN)

Jefferson	11,707
Tuscaloosa	27,869
Marengo	6,025
Greene	1,897
Hale	3,500
Dallas	9,325
Bibb	5,892
Sumter	3,100
Perry	3,500
Chilton	12,151
Shelby	11,000
	95,966

SEVENTH DISTRICT (ELLIOTT)

Jefferson	46,378
Marion	11,385
Winston	8,011
Cullman	17,500
Lamar	9,752
Fayette	8,950
Franklin	11,317
Walker	20,500
Pickens	6,816
	140,609

Following is the breakdown of the distribution of Jefferson County's votes:

FOURTH DISTRICT

Precinct 12, Leeds, 1307 qualified voters; Precinct 20, Irondale and East Lake, 1430; Precinct 10, Woodlawn, Avondale, Huffman and East Birmingham, 23,422; Precinct 11, Tarrant, 2229; Precinct 44, Center Point, 2119; Precinct 15, Pinson, 1394; Precinct 59, Mountain Brook, 5693; Precinct 13, Trussville, Chalkville and Clay, 1600. Total number of qualified electors, 39,194.

FIFTH DISTRICT

Precinct 16, north part of county, Gardendale, Kimberly, Morris and Warrior, 2614; Precinct 22, Fultondale and Ketona, 1414; Precinct 42, North Birmingham and Acipco, 4462; Precinct 52, Wylam, 1489; Precinct 45, Ensley and fairgrounds area, 7497; Precinct 29, Pratt City and Sandusky, 2944; Precinct 38, Graysville and Brookside, 1169; Precinct 39, Docena, Crumly's Chapel and Adamsville, 1491; Precinct 21, downtown Birmingham, 15,128; Precinct 19, West Jefferson and Corner, 1108; Precinct 50, Hillview and Mount Olive, 1258. Total number of qualified voters, 40,574.

SIXTH DISTRICT

Precinct 25, Homewood, Edgewood, Vestavia and south part of county, 11,707.

SEVENTH DISTRICT

Precinct 33, Bessemer Cutoff 21,856; Precinct 53, Fairfield 3556; Precinct 9, West End, Central Park and Powderly, 20,966 Total number of qualified electors, 46,378.

Russell County Records Probed

PHENIX CITY, Aug. 2 (AP)—Five FBI agents and a justice department attorney from Washington continued today to photograph Russell County voter registration records at the Courthouse here.

The FBI agents, led by Justice Dept. Atty. Warren Radler, arrived Tuesday.

Government agents were engaged in similar work in Barbour County Monday.

Radler said only that he had been sent here to copy all records, involving both whites and Negroes.

It was not learned whether the agents were here due to complaints involving local records.

Voter Records Photographed

U. S. Agents Work In Elmore County

WETUMPKA, Aug. 2 (AP)—A team of justice department lawyers spent much of today here photographing Elmore County voter registration records after doing similar work in Russell and Barbour Counties.

Warren Radler, a spokesman for the group, said they came here from Phenix City. Government agents were engaged in similar work in Barbour County Monday.

It was not learned whether the action resulted from complaints involving local records. Radler said only that he was sent to copy all records, involving both whites and Negroes.

ALABAMA

Montgomery County U. S. Vote Suit Filed

MONTGOMERY, Aug. 3 (UPI)—The Justice Dept. today filed a suit charging Negroes have been denied their legal voting rights in Montgomery County.

The Federal government said it seeks a court order to bar discrimination against Negroes who try to register to vote under the civil rights acts of 1957 and 1960.

Deputy Atty. Gen. Byron R. White said local officials had failed to take action to end the discriminatory practices and the government went to court only after trying to work out solutions with local authorities.

The department reported two similar suits also were filed involving similar charges against two Mississippi counties Walthall and Jefferson Davis.

State, Registrars Named

The Alabama complaint named the state of Alabama and county registrars, George Penton and Mrs. Samuella P. Willis, as defendants.

According to the complaint, approximately 29,615 of the county's 62,911 eligible white persons are registered to vote, while only 2885 of the 33,056 eligible Negroes are registered.

Both Mississippi complaints were filed in Jackson, and asked for court orders requiring qualified Negroes who have applied in the past to be registered as voters.

All three complaints asserted that voting officials applied "different and more stringent standards" to Negro applicants for registration than to whites.

Records Sought

Officials said that after filing the suits, the Justice Dept. asked the court for permission to inspect voting records. It said Judge Sidney Mize scheduled a hearing Aug. 21 on the requests.

The state of Mississippi and the county registrar, John Q. Wood were named as defendants in the Walthall complaint. The state and James Daniel, county registrar were defendants in the Jefferson Davis complaint.

In Walthall County, the complaint said that none of the 2490 Negro residents was registered despite repeated attempts to do so. A substantial majority of the county's 4536 white persons were registered, it said.

In Jefferson Davis, about 1200 Negroes were registered in 1955, while a majority of the 3629 whites were registered following a new registration in 1956 and in 1960, it said. About 130 additional Negroes were registered.

County Voter Registrars Deny Negro Discrimination

Montgomery county voter registrars deny discriminating against Negro applicants, as the U.S. Justice Dept. has charged.

In an answer field in U.S. District Court to a government suit, Registrars George Penton and Samuella P. Willis said they have not "engaged in racially discriminatory acts and practices ..."

Specifically, they denied (1) applying stiffer standards for Negro applicants, (2) subjecting Negroes who seek to vote to unnecessary delays, and (3) refusing to register qualified Negroes.

They acknowledged that they do not notify Negro applicants who are rejected. But, they said, neither do they notify white applicants of their rejection.

The Justice Dept. is asking that the federal court make a finding as to discriminatory practices and issue an injunction forbidding them.

It also asks that all qualified Negroes who have applied for voting rights since 1956 be placed on the rolls.

The registrars' answer also alleged that the state is a proper party defendant to the civil rights action.

The registrars are represented in the case by Circuit Solicitor William F. Thetford. Penton and Mrs. Willis are the only members on the board at present; the third member, Crum Dinkins, died recently.

Jury May Probe Vote Complaints

MOBILE (AP) — Circuit Solicitor Carl M. Booth said Friday he may take the matter of complaints of alleged violations in recent city elections before the county grand jury.

The prosecutor said, however, that he plans to confer first with State Atty. Gen. MacDonald Gallion about the complaints.

"Grand juries are required to investigate any alleged election law violations, but I want to confer with the attorney general about the complaints he received before taking any action such as subpoenaing records and complainants."

Gallion had said at Montgomery last week that he had received numerous complaints prior to last Saturday's runoff election for two city commission posts.

The attorney general sent a team of investigators to Mobile for the runoff. A spokesman later said the officers found no concrete evidence of violations.

Two Federal Attorneys Map Bullock Vote Suit

The Montgomery Advertiser
Montgomery, Ala.
Mar. 23-26-61

Two federal attorneys are in town, preparing a Justice case against Bullock County voter registrars, which is to be heard here Wednesday, March 29.

Frank M. Dunbaugh and J. Harold Flannery may remain until the time of the trial, taking depositions of witnesses and readying other detail of their case.

John Doar, chief trial attorney for the Civil Rights Division of the Justice Dept., is also expected to be here for the trial of the suit.

The Bullock registrars are charged with holding registration of Negroes to a minimum through a requirement that prospective voters produce two witnesses to vouch for them, but that no witness can vouch for more than two applicants a year.

According to the suit, this virtually shuts off registration of Negroes, since there are less than half a dozen Negroes in the county registered to vote and whites are reluctant to vouch for Negro applicants.

Attorneys for the defendant registrars and the state say that the system providing for supporting witnesses had been approved by Judge C. B. Kennamer, who preceded Judge Frank M. Johnson Jr. in U.S. District Court here.

The county's population is estimated at 10,890 Negroes and 3,850 whites, making it one of a handful of Alabama counties with a preponderantly Negro population.

Attorneys Lawrence K. Andrews and R. E. L. Cope of Union Springs will join state attorneys in the defense of the registrars.

Investigators Get Voter Depositions

The Commercial Appeal
Memphis, Tenn.
Mar. 21-1961

Hearing Of Alabama Suit To Be Held March 29

MONTGOMERY, Ala., march 20. — (UPI) — Tow Justice Department attorneys took depositions Monday from witnesses in preparation for prosecution of a civil rights case against the Bullock County voter registrars.

Frank M. Dunbaugh and J. Harold Flannery arrived here last week to lay the groundwork for the March 29 hearing of the suit which charges the registrars with discrimination against Negro voter applicants.

The suit will be heard before United States District Judge Frank M. Johnson Jr., who last Friday ruled the Macon County voter registrars had systematically discriminated against Negroes and ordered them to begin registering qualified Negroes immediately.

In the Bullock suit the Justice Department charges there are less than six registered Negro voters in the county although Negroes outnumber whites in the county by a ratio of nearly 3 to 1.

The Government also attacks the system requiring two registered voters to act as supporting witnesses for the prospective voter and barring ant voter from supporting more than two applicants a year.

The county attorneys argue, however, that Judge Johnson's predecessor upheld the practice as constitutional.

Chief trial attorney for the civil rights division of the justice department in the suit is John Doar. United States Attorney Hartwell Davis has been directed by Judge Johnson to participate actively in the case and is listed as an attorney for the Government in the case along with Assistant United States Attorney Al Byrne.

Alabama Atty. Gen. McDonald Gallion, Asst. Attys. Gen. Willard M. Livingston, Leslie Hall and Gordon Madison and lawyers R. E. L. Cope and Lawrence K. Andrews of Union Springs are listed for the defense.

Bullock Vote Suit Due Wednesday

Birmingham Post-Herald
Birmingham Ala.
Mon. 3-27-61

Main Complaint Involves Practice Of Requiring Vouchers For Registrants

BY DON MARTIN
United Press International

MONTGOMERY, March 26—The Justice Dept.'s suit to force registration of more Negroes in Bullock County is tentatively set for trial Wednesday in U. S. Middle District Court here.

Federal Judge Frank M. Johnson Jr. will preside over the testimony, which is not expected to be as long and complicated as the recent Macon County suit heard at Opelika.

Although the Justice Dept. has charged discrimination against prospective Negro voters in both counties and asked for injunctions to prohibit such action in the future, there is a material difference in the suits.

In Bullock the Federal government's complaint was filed to challenge the practice of requiring would-be voters to get two supporting witnesses to vouch for them. The vouchers must be registered voters and no supporting witness can vouch for more than two applicants a year.

Five Registered Negroes

Since there are only five registered Negroes in the county, the Justice Dept. contends the system automatically limits the number of Negro applicants, since whites are reluctant to vouch for them.

Defense attorneys have replied that use of the voucher system already has been upheld in Federal Court by the late Judge C. B. Kennamer, Johnson's predecessor.

Last week a Justice Dept. attorney said the chairman of the Bullock County Board of Registrars agreed to relax the contested voucher rule.

Dave Norman, assigned here to direct the Justice Dept.'s suit, said Chairman Julius P. Thompkins has agreed that the board will waive the limitation on the number of applicants each voter can vouch for.

Norman said Thompkins' statement came at Union Springs, the county seat, while Federal agents were taking depositions from registration board members.

Registration Promised

Norman said all three board members also promised to allow all qualified Negro voters to register in the future.

In other civil rights action, the state attorney general's office has asked Johnson to stay his order ruling Macon registrars to place 34 Negroes on the voting lists immediately.

Asst. Atty. Gen. Gordon Madison said the state has filed notice of appeal in the case in which Johnson held there was a systematic pattern of discrimination against qualified prospective Negro voters. Madison said the state asked Johnson to withhold execution of his order concerning the 64 until higher courts rule whether the jurist has the authority to force them to be registered.

This, the complaint charges, automatically limits the number of new Negro voters.

Testimony will be heard by U. S. Dist. Judge Frank M. Johnson Jr.

A similar system is used in neighboring Macon County. There, Johnson last week ruled that a supporting witness can vouch for "any number of applicants." But no time limit was set.

Butler Civil Rights Case Gets Underway

Talladega Daily Home
Talladega, Ala.
Tues. 3-21-61

MONTGOMERY (AP) — Preparations of the Justice Department's civil rights suit challenging Bullock County's voter registration system were under way today.

Two federal attorneys were here from Washington to lay the groundwork for the hearing opening March 29.

The suit will take issue with Bullock's system requiring each voter registration applicant to have two voters vouch for him, but limiting to two the number of applicants a voter can appear for each year.

The Justice Department contends that white voters are reluctant to vouch for Negroes.

VOUCHER SYSTEM OVERTURNED

Judge Reserves Ruling On Bullock's Registrars

The Montgomery Advertiser P.1

By ARTHUR OSGOODE

U.S. District Judge Frank M. Johnson Jr., declaring himself "impressed" by declarations by three Bullock county voter registrars, held off action Thursday on a civil rights suit aimed at the practice of requiring supporting witnesses for voter applicants.

But he did strike down the requirement that such supporting witnesses can vouch for only two applicants a year.

The Federal judge said he was impressed by testimony of the three registrars to the effect that they "are ready and willing, even to the point of eagerness, to register all qualified Negro citizens."

But Johnson made it clear that his final ruling will depend on whether it is shown that qualified Negroes are in fact not barred from the right to vote.

NAMES, ADDRESSES

He required reports from the Bullock Board of Registrars on or before April 26, May 24, and June 21, giving the names and addresses of each Negro applicant, whether or not they were rejected, and the name and race of the voter who vouched for them.

But he did not grant the broad action asked by Justice Department attorneys.

He reserved his ruling on appointment of a federal voting referee, on a declaration that a pattern of discrimination exists, on a declaration in regard to the voucher rule, and on a sweeping injunction relating to the entire question of discrimination.

Johnson noted in his verbal order at the end of the day-and-a-half-long trial, that only five Negroes are registered to vote as against 2,200 whites in a county with a population ratio that is almost 3-to-1 Negro.

And he observed that he could find no explanation for the fact that only one Negro attempted to register since March 1, 1960, when the present board took office.

The two-a-year requirement for vouchers for voter applicants, Johnson termed "patently unconstitutional."

During the trial, defense attorney, L. K. Andrews, a state senator and prominent in state politics, sought to show that white citizens had not been approached by Negroes who needed vouchers to register.

The defense also implied that, though discriminatory practices may have been practiced in the past, the present board has operated without racial prejudice.

Each of the three registrars, Julius P. Thompkins, John Wesley Guthrie Jr., and K. S. Yon, requested that they be heard by the court on their attitude with regard [illegible]istration of Negroes.

Thom[illegible], chairman of the board, d[illegible]red he had "a high respect [illegible] human rights."

OPEN D[illegible]OR

The bo[illegible]rd, he said, has "an open door for anybody that wants to register on days that we are open. . ." Earlier, he had stated his attitude as to race of applicants: "They're all people, as far as I'm concerned."

Guthrie, though not called to the witness stand, asked to be allowed to state his position also. He said that, at the time the board began operation, "We agreed to register any qualified person in Bullock county, regardless of color, religion, or creed."

Yon had made a similar statement on Wednesday.

Thompkins was questioned by federal attorney Dave Norman as to the reason for the board discussing the matter of racial discrimination.

The registrar replied that earlier lawsuits had shown evidence that discrimination had existed in the past.

Union Springs Mayor Frank Anderson Jr., led off a series of white witnesses for the defense Thursday, each of whom testified he would willingly vouch for a qualified Negro voter applicant.

SEVERAL QUESTIONED

Several of the witnesses were questioned by Judge Johnson, who sought to find how many Negroes they believed to be qualified.

Anderson said he could think of "a couple of dozen." Walter Ellis, president of the Bullock County Farm Bureau, said he could think of a dozen Negroes he knew who were qualified to vote.

The judge then declared that he would like to hear from a witness willing to vouch for "more than a dozen." He said the mere testimony from whites that they would vouch for Negroes was meaningless if the whites knew of virtually no Negroes they considered qualified.

During the first day of the proceeding, a series of Negro witnesses told of approaching white persons who refused to vouch for them. One told of a Negro refusing to vouch for fear his wife might lose her teaching job.

Andrews, cross-examining witnesses, drew from several others the admission that they had never asked a white person to vouch for them.

NYC head of list with 1,087,931 tan population

The Afro-American Baltimore, Md. Sat. 3-25-61

WASHINGTON — The nation's largest city also has the largest colored population.

Of a total population of 7,781,984 in NYC, 1,087,931 or 14 percent are colored, according to advance data of the 1960 Census of Population compiled by the Bureau of the Census, U.S. Department of Commerce.

Ranked after New York in terms of total colored population were Chicago, with 812,737; Philadelphia, 529,240; Detroit, 482,223; Washington, 441,737; Los Angeles, 334,916; and Baltimore 326,589.

In terms of proportion, Washington, had the largest colored population with 53.9 percent of the city's total population.

In addition to the national capital, cities with one-third or more colored population are Atlanta, 38.3 percent; New Orleans, 37.2 percent; Memphis, 37.0 percent; and Baltimore, 34.8 percent.

In 23 of the 25 largest cities, women outnumbered men in the colored population. The two exceptions were San Diego and Seattle.

Registrars Here Face U.S. Action

State, County Officials Accused Of Discrimination

WASHINGTON (AP)—The Justice Department Thursday announced it had filed three suits charging discrimination against Negroes seeking to register to vote in Walthall and Jefferson Davis Countes of Mississippi and Montgomery County, Ala.

The actions were brought under the Civil Rights Act of 1957 and 1960, and asked for federal court injunctions forbidding discrimination.

The states and county registrars were named as defendants in each suit.

In all three complaints, the court was asked to enjoin the defendants from "engaging in any act which would delay, prevent, hinder or discourage Negro citizens" from registering and voting.

ASKED FOR ORDER

The Montgomery and Jefferson Davis complaints also asked for court orders requiring that qualified Negroes who have applied in the past be registered as voters, said Deputy Atty. Gen. Byron R. White.

White said that "as in the past we have called the facts in these situations to the attention of the local officials in an effort to work out solutions. We have gone to court only after these efforts failed."

The three cases brought the total of voting discrimination cases filed by the department to 14—four each in Mississippi, Alabama and Louisiana, and one each in Georgia and Tennessee.

FILED HERE

The Alabama complaint, filed in the city of Montgomery, named George Penton and Mrs. Samuella P. Willis as county registrars.

It said that while approximately 29,615 of the county's 62,911 eligible whites are registered to vote, only 2,885 of the 33,056 eligible Negroes are registered.

In Montgomery, the registrars said the suit had been turned over to Circuit Solicitor William F. Thetford. The two registrars declined comment. Thetford was out of the city and could not be reached for comment.

The Montgomery complaint named Penton and Mrs. Willis and the state of Alabama as defendants. The complaint said Crum Dinkins was until his death in July 1961 a member and chairman of the board of registrars of Montgomery County. It made no further reference to Dinkins.

NOT LIMITED

It said the defendant board members "and previous members of the board, in conducting registration for voting in Montgomery County, Ala., have engaged in racially discriminatory acts and practices which include, but are not limited to the following:

"Applying different and more stringent registration procedures and standards to Negro applicants than to white applicants for registration in determining whether or not such applicants are qualified to register and to vote.

"Unreasonably delaying the registration of Negroes.

"Refusing to register qualified Negro applicants.

"Failing to notify Negro applicants of the rejection of their applications and the reason for such rejection."

The complaint said the acts and practices have deprived Negro citizens in the county of their right to register to vote without distinction of race or color.

It added that the deprivations have been and are pursuant to a pattern and practice.

COURT ORDER SOUGHT HERE IN VOTE SUIT

The U. S. Marshal's office here was expected ot serve suits today filed by the Justice Department Thursday charging Montgomery County Negroes have been denied their legal voting rights.

The department said it seeks court orders to bar discrimination against Negroes who try to register under the Civil Rights Acts of 1957 and 1960.

The suit names the state of Alabama and county registrars George Penton and Mrs. Samuella P. Willis as defendants. The chairman of the board, Crum Drinkins, died recently of a heart attack.

A spokesman at the U.S. District Clerk's office said the defendants would be served today.

'NO STATEMENT'—PENTON

Penton said "I have nothing to say," about the suit. "I just work up there," he added.

Deputy U. S. Atty. Gen. Byron R. White said local officials had failed to take action to end discriminatory practices and the government went to court only after trying to work out solutions with local authorities.

The complaint said about 29,615 of the county's eligible 62,911 white persons are registered to vote, while only 2,885 of the 33,056 eligible Negroes are registered. The government asked for a court order requiring registration of qualified Negroes who have applied previously.

2 COUNTIES UNDER ORDERS

Bullock and Macon counties are under specific court orders from federal court here on Negro voter registrations. Investigations are under way in Lowndes, Wilcox, Dallas and Elmore counties as well.

Two similar suits also were filed Thursday against Walthall and Jefferson Davis counties in Mississippi.

Montgomery County voter registration records were opened to the Justice Department last August when U. S. District Judge Frank M. Johnson Jr., empowered federal agents to inspect the files for evidence of anti-Negro discrimination.

DISCRIMINATION CHARGED

The present complaint charges the defendant board members "and previous members of the board, in conducting registration for voting in Montgomery County, Ala., have engaged in racially discriminatory acts and practices which include, but are not limited to the following:

"Applying different and more stringent registration procedures and standards to Negro applicants than to white applicants for registration in determining whether or not such applicants are qualified to register and to vote:

"Unreasonably delaying the registration of Negroes;

"Refusing to register qualified Negro applicants;

"Failing to notify Negro applicants of the rejection of their applications and the reason for such rejection."

The complaint said the acts and practices have deprived Negro citizens in the county of their right to register to vote without distinction of race or color.

It added that the deprivations have been and are pursuant to a pattern and practice.

Judge Orders County Yield Vote Records

U.S. District Judge Frank M. Johnson Jr. Monday ordered Montgomery County voter registrars to turn over documents for inspection by the U.S. Dept. of Justice.

The Justice Dept., charging discrimination against Negro voter applicants, had asked to see the records in order to prepare its case.

The registrars had denied possessing a number of the documents sought by government attorneys. Johnson ruled that such documents be produced "that may be in the defendants' custody. . ."

ANOTHER LOOK

Federal agents spent several days last year in photographing records in the registrars' office. But federal attorneys said it was necessary for them to inspect still other records.

Johnson also refused to grant a motion by the State of Alabama to quash service of the suit. The state, named as co-defendant with the registrars, had maintained that it was not properly served with notice of the suit.

Atty. Gen. MacDonald Gallion argued that the state government comprises executive, legislative, and judicial branches, but that only himself and Gov. John Patterson were served with notice of the suit.

Judge Johnson dismissed this argument, citing a federal rule that service in a suit against a state or municipality is accomplished through serving the proper legal papers on the state or local executive officer.

Service of the papers on the governor was sufficient, the judge ruled

He set a hearing for another voter registration case, in which the government seeks to speed up registration of Negroes in Bullock county. for Sept. 8.

120 Negroes Apply For Alabama Vote

The Atlanta Constitution
Atlanta, Ga.

TUSKEGEE, Ala. (AP)—One hundred and twenty Negroes sought to register as voters in two rural south Alabama counties Monday under the protective shield of a federal court order.

Sun., 9-4-61

A Negro leader in Macon County said the progress was slower than he would like to see it, but still more encouraging than it had been before a federal judge stepped in with an injunction last month.

One count showed 79 Negroes showing up at the courthouse in Tuskegee, the Macon County seat.

At Union Springs, county seat of adjoining Bullock County, board member K. S. Yon Jr. said 41 Negroes applied for registration. He said the board processed about 15 applications, near the maximum it can handle in one day, and five of these were accepted for registration.

William P. Mitchell, secretary of the Tuskegee Civic Association and chairman of its Voting and Registration Committee, said 79 Negroes appeared to register. Of these, he said 34 completed their forms, four partly completed the forms and 41 were given numbers to hold their places on a waiting list.

In the past, Negroes have complained that only half a dozen or so, or at times not even that many, got into the board office in one day.

ALABAMA

In Macon, Bullock—

U. S. demands speed-up in registration

Birmingham News
Sat 8-19-61

Birmingham, Ala.

WASHINGTON, Aug. 19—(AP)—The Justice Department said Friday it had asked a feedral court to speed up voter registration in two Alabama counties to make certain that eligible Negroes will be able to vote in the May, 1962, primary.

Atty. Gen. Robert F. Kennedy announced that the request was made in two motions filed Thursday in U. S. District Court, Montgomery, Ala.

U. S. Judge Frank M. Johnson Jr. set Sept. 8 for hearings on both motions, one involving Macon County and the other Bullock.

In a suit filed Feb. 5, 1959, the department accused election officials of discriminating against Negroes trying to register as voters in Macon County. A similar suit was filed last Jan. 20 covering Bullock County.

In the Macon County case the court last March 17 ordered that any discrimnatory and delaying tactics be abandoned and that registrars expedite the processing of applications from a waiting list composed mostly of Negroes.

IN THE NEW MOTION, Kennedy said, the government requested the court to order the Board of Registrars to speed up the processing of these applications. The court was told the number of processed applications had dropped from 50 a day last June to about 18 daily since then. One of the three registrars' jobs has been vacant since four days after the original court orders, government lawyers said.

The court also was asked to order the registrars to process applications within eight registration days after their submission, to stop rejecting applications for "technical, formal or inconsequential errors or omissions," and to require no higher standards of Negro applicants than are required of white voters.

In the Bullock County case, the court was asked to order a step-up in the processing of applications from a long waiting list. The motion said handling of applications should be placed on a first-come, first-served basis and the registrar's office, which closes at noon, should stay open later.

Grade board bill weighed by Patterson

The Birmingham News
P. 1 Thurs. 9-14-61
Birmingham, Ala.

News Capitol Bureau

MONTGOMERY, Ala., Sept. 1[3]—The bill setting up a state board to grade questionnaires filled out by voter registration applicants was still on Gov. John Patterson's desk today—unsigned.

The governor is studying it, and weighing opinions of its backers and opponents.

THE BILL sets up a board to grade applications from would-be voters over the state, without any reference to the applicant's race. A number instead of a name would be used on the application.

It was steered through the Legislature by Sen. L. K. Andrews of Bullock and Rep. Roscoe Roberts of Madison.

Andrews called it "the finest piece of legislation" to pass during the session.

"This bill entirely eliminates the discrimination which has been the basis of all voter registration cases filed by the federal government," he said.

"I'm inclined to believe that the civil rights attorneys will have to look elsewhere for more fertile fields in which to file their suits," Andrews said.

Thurs, 9-19-61

BUT OPPONENTS of the bil say that many white voter applicants may flunk out when the applications are graded.

And they say that the federal government will be able to file just one voter registration suit if the bill passes, instead of having to sue each county board individually.

Gov. Patterson has pocket vetoed one bill—the measure requiring the state to paint white lines along the outer edges of state and county roads.

The lines have been painted on some roads, as a test of their safety value.

But Patterson said the decision on painting the white lines ought to be left to the administration, not the Legislature.

Elmore Vote Photos Made By Federals

Montgomery Advertiser 8/3/61

Justice Department lawyers photographed Elmore County voter registration records Wednesday after doing similar work in Russell and Barbour counties.

Assistant Alabama Atty. Gen. Leslie Hall said the same procedure was followed as in earlier checks in Montgomery, Autauga and other Alabama counties.

Warren Ratler, one of the Justice Department attorneys, said only that he was sent to copy all records, involving both whites and Negroes. It was not learned whether the action resulted from complaints involving local records.

Montgomery, Ala

NO COMPLAINTS

Hall said, however, that he had talked to registrars in the three counties and that there had been no complaints to them nor appeals of rejected applications.

The usual pattern in such investigations, Hall said, is to examine the records, photograph them and send the photos to the Justice Department. The department then decides whether any suits should be filed.

Russell County records were photographed Tuesday and Wednesday and Barbour records Monday. Ratler said as far as he knew this concluded his work in Alabama.

Hall said no suits have been filed relating to the three counties.

Similar investigations have taken place in the past in several Alabama counties.

34e 1961

ALABAMA

CONSTITUTIONAL AMENDMENT
PROTECTION OF VOTER REGISTRARS FROM CIVIL RIGHTS SUITS

Measure would shield registrars

The Birmingham News p. 7
Sat. 8-12-61

MONTGOMERY, Ala., Aug. 12 (AP)—Protection of voter registrars from civil rights suits is the aim of a constitutional amendment offered in the state Senate Friday. Birmingham News 8/6/61

The measure would provide sealed examinations for voter applicants. They would be administered by county registration boards but prepared and graded by the newly created State Board of Voter Examiners.

Application papers would be identified by number only.

The present law provides for grading of the questionnaires by the county boards of registrars. Names of applicants are plainly evident.

TESTIMONY at recent federal court hearings has shown that some registrars in the past marked papers to show which were Negroes.

The amendment was introduced by Sen. Lawrence K. Andrews of Bullock County along with an enabling act to put the system into effect.

The enabling act provides that prospective voters would have to demonstrate their knowledge of "the duties and obligations of citizenship" and no one could apply for registration more than once a year.

34e 1961

ALABAMA

CHECKING SINCE 1958

Suit Opens Here On Bullock Vote

Another federal suit aimed at alleged discrimination against Negro voter applicants opens in U.S. District Court here Wednesday before Judge Frank Johnson.

The Justice Dept. this time is aiming its guns against a Bullock County requirement that voter applicants have two supporting witnesses who are registered voters.

Because there are only five Negro voters in the county and because whites are reluctant to vouch for Negroes, the suit charges, registration of Negroes in substantial numbers is impossible.

Government attorneys are seeking to knock out this rule.

Defense attorneys maintain the rule has previously been upheld in the same federal court by the late Judge C. B. Kennamer.

Bullock vote suit to open Wednesday

MONTGOMERY, Ala., March 25—Trial of a civil rights suit alleging discrimination against would-be Negro voters in Bullock County will open Wednesday before U. S. District Judge Frank M. Johnson Jr. here.

The suit is the second brought by the federal government to force registration of more Negro voters in the Black Belt.

Judge Johnson earlier this month ordered immediate registration of 64 Negroes in Macon County and spelled out procedures to rfaster registration of others.

ONLY FIVE Negroes are registered to vote in Bullock County, while Negroes comprise almost 80 per cent of the population there.

Bullock County voter registrars have offered a comprise in registration procedures involving supporting witnesses which the government contends keeps Negroes from being registered.

But Justice Department attorneys said they will seek to outlaw the entire voucher system.

State Sen. L. K. Andrews of Bullock and lawyers from the Alabama attorney general's office will be defense attorneys.

Federal attorneys in the case are Dave Norman, Frank Dunbar and J. R. Flannery.

Negroes Seek To Register In Alabama

TUSKEGEE, Ala. (AP)—Negroes sought to register as voters in two rural south Alabama counties Monday under the protective shield of a federal court order. A Negro leader in Macon County said the progress was slower than he would like to see it, but still more encouraging than it had been before a federal judge stepped in with an injunction last month.

At Union Springs, county seat of adjoining Bullock County, board member K. S. Yon Jr. said 41 Negroes had applied for registration. He said the board processed about 15 applications, near the maximum it can handle in one day, and five of these were accepted for registration.

However, Yon said others may be accepted later when their applications are reviewed.

"We are using the same yardstick for everybody, colored and white," Yon said.

In Tuskegee, Registration Board member Wheeler Dyson, asked how many Negroes had applied to register, said, "There was a heap of them." But he would make no estimate of the number. Dyson said no decision was made on whether to accept any of the applicants.

No Vote Irregularities Found By Dallas Juries

SELMA—Dallas County grand juries since December 1958 have been checking applications of Negroes turned down on voting and have found no irregularities, Solicitor Blanchard L. McLeod said Friday.

The statement came after the Justice Department petitioned U.S. District Court in Mobile for an injunction to ban alleged discrimination against registration of Negro voters in Dallas County.

"We have been carrying on our own investigation since 1958," McLeod said. "We asked the federal government then to give us the facts of any violation so we could handle them. The federal government has not given us any information." This occurred after the Civil Rights Commission investigated voter registration in six Alabama counties, Dallas among them, in December, 1958.

He said the grand jury investigations were ordered because "people claimed there was discrimination."

McLeod said he has not been served with papers regarding the suit filed Thursday. Atty. Gen. MacDonald Gallion said in Montgomery Friday he has not been served either.

Gallion has promised the state will "strongly contest" the suit. He said he will confer with members of his staff, McLeod, J. P. Majors, only member of the board of registrars, and possibly with ex-members of the board.

Judge Daniel H. Thomas set a hearing for May 29 at Selma on the government's motions.

FIRST BY DEMOS

Atty. Gen. Robert F. Kennedy, who signed the petition along with other federal officers, said at Washington:

"We attempted to work this out with officials in Alabama, but were unable to do so. Where there is a failure to have voluntary compliance by local authorities, we will seek legal action as we have done in this case."

Bullock vote registrar says system is fair

BY TRUDY CARGILE
News staff writer

MONTGOMERY, Ala., March 30—The state moved along in its defense today of a U. S. Justice Department suit alleging discrimination against Negroes seeking to register in Bullock County.

Defense attorneys were expected to present testimony of two registrars this morning after placing the third member, K. S. Yon Sr., on the stand yesterday.



CARGILE

Under direct questioning by Defense Atty. Sen. L. K. Andrews, Yon testified the three members appointed March 1, 1960, met prior to acceptance to reach an agreement on the method of registration.

"We agreed that we would go according to the law of Alabama

(Photos on page 50.)

regardless of color or religion and whoever passed the examination would be registered," he said.

Yon further testified the board patterned their plan of letting applicants sign a register from which names were to be called from a system used by Social Security.

Since they accepted their appointments, Yon said, an excess of 60 applicants have been rejected and only one was a Negro.

Although some 15 Negroes were called by federal attorneys earlier yesterday to tell of attempts to register in which they have failed during the past 10 years, only Will Leonard Robbins, a Midway farmer, said he had tried under the present board.

TESTIMONY BROUGHT out that Robbins, 62, had failed to answer a question as to whether he had ever been dishonorably discharged from the Army or other branch of service or from a school or college.

Under cross-examination by the state, Robbins admitted Yon told him to "take his time" in filling out the first of two applications.

Yon, under state questioning, said he told him to "look over the application carefully" and "take all the time you want."

The state sought repeatedly to show that none of the rejected applicants had failed attempts to register for lack of a registered voter to vouch for them.

It is this regulation in Bullock which the Federal government is seeking to outlaw through its suit against the Board of Registrars and the State of Alabama.

YON, UNDER cross-examination by federal attorneys, said the purpose of the rule as far as he is concerned, is to "keep down some rotten, unscrupulous politics."

"It would keep someone from bringing in unknown persons from other counties that we might not be able to identify and register them," he testified.

Asked if the vouching rule is an Alabama law, Yon said he did not think so, but that the law allows a board to establish a reasonable rule.

"And we considered this a reasonable rule," he added.

THE FEDERAL Government, in its suit, contends the vouching rule makes it practically impossible for Negroes to register. Since the suit was instigated, the Bullock board has offered a compromise in the procedure.

Federal attorneys sought through their cross-examination of Yon to prove white applications approved contained errors.

Confronted with applications submitted into evidence, Yon admitted some answers were wrong. At that point, he asked permission of the court to make a statement and was granted the right by Presiding Judge Frank Johnson Jr.

"I told the FBI the first time it came to investigate that I don't deny that you won't find some error. But I can truthfully say they were of the mind and not of the heart," Yon said.

EARLIER, federal attorneys had sought to show some white Bullock voters are registered despite having less education than some of the Negroes who testified to being rejected.

Two white witnesses, L. F Perry, 52, and W. H. Powell, 65 were both questioned as to thei educations.

Andrews' objections on the grounds that the Alabama Constitution which was amended in 1946 to exclude persons unable to read and write was not in effect at the time the men first registered, was sustained by the court.

Federal attorneys were also instructed by the court not to continue that line of questioning.

SEVERAL ATTEMPTS and failures to register were related by Aaron Sellers, Negro farmer o Midway, who later brought suit against the Bullock County Board of Registrars.

Sellers testified that on one trip to the courthouse, he was asked by A. G. Tucker "what was our trouble and what were we looking for."

When he told Tucker (not a registrar) he wanted to register for his citizenship, Sellers said he was asked, "aren't you already a citizen?"

Then, Sellers testified, Tucker told him his advice was to get out. Later, as he and other Negroes waited, the witness said, Tucker returned and said, "I thought I told you to get the hell out of here."

RAYNARD GRADY, a Negro and husband of a school teacher, said "the word had been passed" to his wife that she would be fired if she vouched for Negro voter applicants.

Wilbur Thomas, also a Negro, testified that three white voters refused to vouch for him and a fourth promised to appear but, as far as the witness knew, never did.

L. F. Herring, a white man called by the prosecution to show the board's handling of white applicants, was asked whether he could read and write.

"I used to read pretty well until I got married," Herring replied He explained that his wife had taken over most of the reading and writing in the family. But Herring said he read more in recent years "until we got television. Then I quit."

"The Ballot Is Power" Says Attorney Shores

By EMORY O. JAKSON

SHEFFIELD, Ala. — (SNS) — "The ballot is power", declared Atty Arthur D. Shores, of Birmingham speaking at the annual mass meeting of the Alabama Coordinating Association for Registration and Voting held Sunday afternoon, April 23 at the First Baptist Church here pastored by the Rev. J. C. Yarbrough.

The statewide rally was the climax of a workshop and conference held earlier at the Construction Workers Union Hall.

At the workshop Dr. C. A. Rodgers, Jr., of Anniston, discussed "Coordinating the Voter-Registration Program with Other Organizations;" C. H. Montgomery, spoke on "Sources of Valuable Information; Dr. C. G. Gomillion, of Tuskegee Institute, gave the "Report of the Research Secretary and W. P. Mitchell, also of Tuskegee Institute, Ala., talked on the "Proper Record Keeping and Its Importance". C. W. Lee of Montgomery gave the treasurer's report.

In his speech, Mr. Shores quoted from the speeches of Negro Congressmen from Alabama during Reconstruction who advocated and defended civil rights on the floor of the House of Representatives. He also reviewed some of the celebrated decisions in the field of civil rights and emphasized the high cost of litigation.

Meantime he pointed with pride to achievements of the ballot. Atty. Shores cited the appointment of Dr. Robert C. Weaver to a sub-cabinet post in the administration of President John F. Kennedy and also the naming of Birmingham-born Cecil F. Poole to be U. S. district attorney. Additionally, he called attention to Mobile having 24 Negro policemen, a desegregated golf course, seven Negro persons serving on the Mobile County Democratic Executive Committee as products of skilfull political action.

Mr. Shores who is president of the Jefferson County Progressive Democratic Council emphasized the need for year-around voter-registration stimulation, organized political action, and the setting of program goals. He bore down hard on his observation that a number of persons will work hard in and spend heavily on dinners and entertainment for clubs and Greek Letter organizations without balancing it off with civic and freedom service.

Mrs. Bernice Cunningham Johnson of Birmingham, in presenting citations to Aaron Sellers of Midway, Ala. W. P. Mitchell and C. G. Gomillion of Tuskegee Institute, Ala. for outstanding service in the area of "political action" said that their names "will stand in history until time has been blown away." She also declared that "the ballot is mightier than the sword."

Meantime a plaque was presented to the Tusekkee Civic Association for "distinguished service in building political action." TCA has spearheaded the campaign which resulted in knocking out the Tuskegee vote rexplusion law and has carried on a scientific adult education program in the area of civic democracy.

Earlier in the day the association delegates re-elected W. C. Patton of Birmingham as president of this nine-year old organization. The group voted to hold its 1962 annual meeting in Mobile.

At the afternoon rally Paul Johnson sang a solo; the Rev. L. M. Michael gave the invocation; W. M. Long, chairman of the Eighth Congressional District affiliate intoned greetings; the Carver High School choir rendered a number; Mrs. Laura B. McCray of Tuskegee Institute, Ala. stated the occasion; Mrs. J. J. Watkins, Jeanes supervisor of Colbert County gave remarks; Prof. C. A. Jarmin made the financial appeal; Mr. Patton expressed apprecialions and the Rev. M. C. Griffin gave the Benediction.

W. H. Hollins, Atty. Orzell Billingsley, Jr. and Mr. Johnson were among others from Birmingham in attendance.

SIDEWALK

A meeting of the Girl Service League headed by the Rev. G. W. Harrison was scheduled for 7 p. m.

Residency Requirement Cut Sought For State's Voters

The Legislative Council unanimously recommended Monday that the legislature submit to the voters a proposed constitutional amendment which would cut in half the residency requirement for voting in Alabama.

Without a dissenting vote being cast, the Council recommended that the residency requirement be one year in the state and six months in the county. The third requirement, three months in the precinct or beat would remain unchanged.

At the present time a person must have resided in Alabama for at least two years and in the county for at least one year before he may vote.

This action came on a motion by Rep. Roscoe Roberts of Madison, who earlier had announced he would introduce such legislation himself in the regular session.

He said the council's endorsement of the plan would give impetus to the proposal.

The council, made up of members of the House and Senate, also recommended a variety of other measures to the parent legislature for its consideration.

One proposal which was endorsed by the council called for the employment of a fiscal advisor who would serve the legislature. Gov. John Patterson has vigorously opposed the measure insisting it was an invasion into the powers of the Executive Department.

Most of the other 20 proposals recommended for enactment by the council were merely bills to correct inconsistencies in the law.

New proposals include one which would prohibit the sale or ownership of switch blade knives; a measure calling for state inspection by the Health Department of all red meat and poultry processing establishments in Alabama; and a measure which would require boards of registrars which register voters moving from another county to notify the board of the other county of such registrations.

Mass Vote For Negro In Macon Is Doubted

TUSKEGEE, March 20 (AP)—Although Negroes ultimately may be elected to office in Macon County, a spokesman today discounted the likelihood of a mass Negro vote solely for racial pride.

President Charles G. Gomillion of the Tuskegee Civic Assn. predicted that members of his race given the right to vote under a Federal Court order will support Negro candidates "only if they are qualified."

His comment, in an interview, was prompted by last Friday's decision by U. S. Dist. Judge Frank M. Johnson Jr., ordering the registration of all qualified Negroes in the county.

"I do not believe Negroes would vote solidly for a Negro simply because he is a Negro," Gomillion added.

The Tuskegee Institute faculty member said that, in his opinion, Negro voters might choose to support white candidates for some offices.

"It's like choosing a lawyer in certain types of lawsuits," he explained. "Negroes may feel that a Negro lawyer is as well qualified as a white attroney and at the same time feel that the white lawsomeone as telling Mattox, "That's fine isn't it."

He said Mattox replied, "It could have been better. They could have turned me loose."

Morgan said the youth smiled and appeared in good health, except for a toothache.

Despite the high court's decision, Mattox will remain in jail under the same Grand Jury in-

Patterson Slaps Federal Tactics

Says U.S. Wants Registrars To Quit So It Can Run Alabama Elections

By United Press International

MONTGOMERY, Ala., April 26. — Gov. John Patterson Wednesday accused Federal authorities of hoping to force the resignation of voting registrars so Federal agents "can take over the election machinery in Alabama."

At his bi-weekly press conference here the Governor said he was convinced the purpose of Federal suits charging Negro voter discrimination in Alabama was to "force the resignation of our registrars so the Federal Government can take the reins themselves."

Governor Patterson was asked about his feeling on the recent suit filed by the Federal Government charging negro voter discrimination in Dallas County in the light of a Democratic Administration being in control. Governor Patterson replied, "I know your paper is Republican, and you've been waiting a long time to ask me that question."

'Bad Mistake'

"The Federal Government's approach to these problems is a bad mistake," Governor Patterson said, "and it will ultimately prove wrong. The instrument will one day make a full circle and take a way the rights of the people now using it."

The Governor said, "It is unwarranted, unconstitutional and an encroachment on the rights of the state."

Governor Patterson suggested the Federal Government file suits up East and North "where discrimination is a general thing."

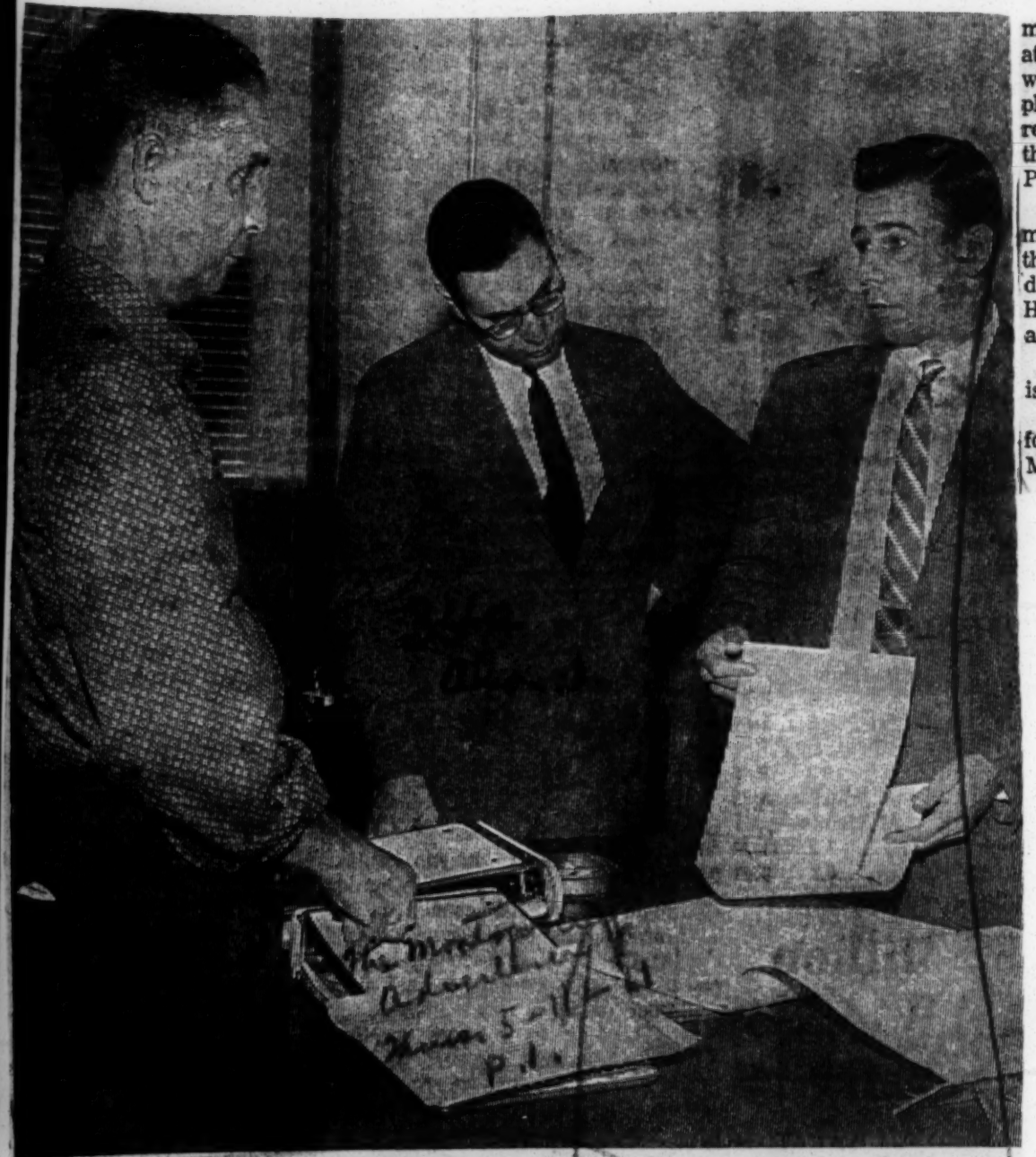
The Governor pointed out there is no functioning board now in Dallas County. He said, "It's hard to get people to volunteer to become a defendant in a Federal law suit where they can lose everything they own. Most people aren't willing to take that on as a public service."

Critical Of Relations

Governor Patterson blasted the Federal Government's position on law enforcement saying, "Relations Between the Fderal and state governments are the worst I've seen. The Federal authorities won't work with you. They take everything from you, and give nothing to you.

"I'm tried of the crushing heel of the Federal agents demanding whatever they want from the state but refusing to co-operate with us in any way." He said Federal agents had never aided the state since he had been in office.

Commenting on the Legislature which begins Tuesday, Governor Patterson said "We'll have a surprise or two for you." He listed medical care for the aged at the top of his list of favored legislation. He placed reapportionment of the House and Senate second.



LOWNDES REGISTRARS BOARD MEMBER AND FEDERAL ATTORNEYS
(L-R) Coby Coleman, Attys. Warren S. Radler, Frank M. Dunbaugh III

Federals Check Files In Lowndes

The Montgomery Advertiser
Thurs 5-11-61
P. 1.

Montgomery, Ala.

HAYNEVILLE, Federal agents left Hayneville Wednesday after photographing Lowndes County voter registration records.

It was their second stop in Alabama in as many days. Tuesday FBI men and two attorneys from the Civil Rights Division of the U.S. Department of Justice investigated voter registration records in Prattville in Autauga County.

Thurs, 5-11-61

The agents gave no indication Tuesday of whether they plan to return or continue their work elsewhere in Alabama. 1A

Asst. Atty. Gen. Leslie Hall said in Montgomery the agents said they had complaints of discrimination against Negroes, but would not disclose the source of the complaints.

Hall said the Justice Department has promised to give the attorney general informal notice when such investigations are planned, but no notice has been received for investigations other than the ones at Hayneville and Prattville.

Probate Judge Harrell Hammonds of Lowndes County said the agents photographed records dating from 1954-55 to the present. He said he had no idea what the agents were looking for.

No Negroes are presently registered to vote in Lowndes County.

Federal civil rights suits have followed similar investigations in Macon and Bullock counties.

Voter Registration Records Denied Justice Department Attorneys at Birmingham

BIRMINGHAM, Ala. (AP)—Justice department attorneys, armed with a request instead of a court order, tried and failed to get a look at Jefferson County's voter registration records Wednesday.

Alabama Attorney General MacDonald Gallion turned them away, saying their request was a "general fishing expedition" seeking evidence of racial discrimination.

Gallion and the three members of the Jefferson County voter registration board met with the federal agents for 90 minutes, then spent 30 minutes showing them through the offices of the board.

All the while, some two dozen persons—about half of them Negroes—waited in line to register as voters.

The registration, heavy because of a municipal election coming up next month, resumed when the agents left.

Gallion told newsmen afterward:

"I told them, as I told U.S. Assistant Attorney General Burke Marshall several weeks ago, that I would reluctantly let them see rejected applications on file or any specified or particular file of complaints."

But he said the agents, Frank Dunbaugh and Harold Flannery, asked complete access to the records and, "I see this as no more than a general fishing expedition."

The appearance of the agents followed a Justice department request—and Gallion's agreement, with limitations—to open the records.

Gallion, in his statement to newsmen, referred to a U.S. District Court order that opened the voter registration records in Sumter County in southwest Alabama.

"The decision does not fit Jefferson County," he said.

Sumter County, he said, is a "rural area with only a few voter records on file." But Jefferson, the most populous county in Alabama, has "150,000 files, cramped quarters, a courthouse with heavy traffic and a heated municipal election coming up, therefore accelerating a flood of last-minute voter registrations."

Judge Strikes Down Voter Restriction

BY REX THOMAS
AP Staff Writer

MONTGOMERY, March 30—A judge struck down a restrictive voter registration rule in Bullock County today, but withheld sterner action on the assurance that more Negroes will be allowed to vote.

In his verbal order announced from the bench, U. S. Dist. Judge Frank M. Johnson Jr., could have granted a sweeping injunction as he did in a recent decree affecting neighboring Macon County.

But, because all three members of the Bullock voter registration board had sworn to treat all prospective voters alike, regardless of race, Johnson ruled only on a contested voucher, or supporting witness, rule.

Nevertheless, he made it plain that he can, and may, take stronger action at a later date if the board fails to live up to its pledge.

Johnson ordered the board to permit supporting witnesses in the future to vouch for as many prospective new voters as they choose instead of limiting them to two a year as in the past.

Board members had said in advance that they would abandon the two-a-year limit voluntarily. They made that concession both in a pretrial hearing before Johnson and later in statements given to Justice Dept. attorneys.

Rule Called Bar

The Justice Dept., in its suit charging discrimination against Negroes in the South Alabama county where members of that race outnumber white residents nearly 3-1, contended the voucher rule itself automatically held down the number of Negro voters.

Only five Negroes are eligible to vote in the county now, and under the two-a-year limitation, they could vouch only for 10 prospective new voters in any year.

Federal attorneys complained that the approximately 2200 white voters in the county are reluctant to appear as supporting witnesses for Negroes.

Consequently, the Justice Dept. argued, Negroes in many instances have been unable even to apply for registration.

The chairman of the voter registration board, Julius P. Thompkins, and the other two members, John W. Guthrie Jr. and K. S. Yon Sr., all testified during the two-day hearing before Johnson that the board had carefully followed a policy of treating all applicants alike.

But, they said, only one Negro has applied for registration since the present board took office a year ago. He was rejected twice because he failed to answer some questions on the written questionnaire prescribed by state law.

Looking ahead, the registrars promised to register all applicants, regardless of color, who are qualified by law.

White Witnesses Called

And, to dispute the Justice Dept.'s contention that white voters will not vouch for Negroes, defense attorneys called approximately 30 white witnesses in the closing day of the hearing.

Only five of them actually testified. They said they would appear as supporting witnesses for all Negroes who meet the qualifications, or in other words, those with good character.

Opposing lawyers agreed that the remaining 25 or so would give substantially the same testimony, so their names were put into the record without actually calling them to the stand.

Federal attorneys sought to show that the board has applied different standards to white and Negro applicants. They produced incomplete questionnaires turned in by several white applicants who were accepted despite errors similar to those which disqualified the Negro who sought to register.

One of the white voters whose application blank contained omissions was S. G. Trammell, father of one of the state's attorneys, Circuit Solicitor Seymore Trammell.

Chairman Thompkins conceded the elder Trammell should have been rejected, but pointed out at the same time that he actually was turned down once before.

"We possibly made mistakes," Thompkins told the court. "We wouldn't be human if we didn't."

Judge Bans Airing Negro Vote Signup

MONTGOMERY, April 5 (AP)—A Federal judge said today he will withhold the contents of written progress reports from Macon and Bullock County registrars on court-ordered Negro voter registration.

"Publicity of them (the reports) would have no effect other than to possibly thwart the orders of the court," said U. S. Dist. Judge Frank M. Johnson Jr.

"It appears the registrars in both counties are approaching the problem in good faith," he explained, " and I see no reason for them being subjected to community or political pressure."

Johnson has directed registrars in the two heavily Negro-populated counties to submit monthly reports of progress in carrying out his recent orders to register all qualified Negro applicants.

His orders came after hearings in March and last week on Justice Dept. suits charging the Macon and Bullock registration authorities with discriminating against would-be Negro voters.

Johnson said the purpose of the reports is to enable him "to determine whether or not there should be any further procedings in the way of contempt or appointment of voting referees."

Vote registrars of two counties told to meet

BY AL STANTON AND TRUDY CARGILE
News staff writers

MONTGOMERY, Ala., April 1—Voter registrars in two Black Belt Counties meet Monday under federal court directives aimed at getting more Negroes on voting lists.

Macon and Bullock County registrar boards will have their first meeting since U. S. Dist. Judge Frank M. Johnson Jr. handed down orders affecting Negroes' civil rights.

The two-member Macon board—one member short due to a resignation—reported to Judge Johnson Saturday it had placed the names of 50 Negroes on the voting lists as he ordered earlier this week.

Board member Wheeler Dyson, a veteran as Macon registrars go, said the board plans to register voters "just like Judge Johnston tells us to do."

A backlog of about 350 applicants, all but a handful of them Negroes, awaits board action. They were among 400 which had signed up to register under a former board.

Bullock rule struck

JUDGE JOHNSON ordered the Macon board to take steps to reduce the backlog and specified what the board could and could not do in processing the applications.

The Bullock board of registrars meets at Union Springs with one of its rules relating to a voucher system struck down as unconstitutional.

Judge Johnson held as "patently unconstitutional" a Bullock rule which limited to two the number of voter applicants a supporting witness could vouch for in a year.

Further ruling in the government's case against the Bullock registrars and the state may not be forthcoming for at least three months.

THIS WAS EVIDENT when Judge Johnson ordered reports from the registrars by April 26, May 24 and June 21 on registration progress.

One of the main points still to be ruled on is whether the voucher system may be continued at all—even though witnesses can vouch for as many voter applicants as they wish.

The two-a-year limit really wasn't the big issue, since Bullock registrars had offered to lift this rule before the trial here.

Effect of the federal court rulings on voter registrations in the two counties was slow in being felt.

An observer at Tuskegee in Macon County said that of the 50 Negroes placed on voter lists this week, about 10 per cent live inside the city limits, where wholesale registration of Negroes could place white voters in the minority.

IN THE COUNTY as a whole, white voters outnumber Negroes about 5-1.

In Bullock County, only five Negroes are registered to vote, while about 2200 whites are registered.

An observer said that possibly only about 50 Negroes would apply to register in Bullock as a result of court orders.

Judge Johnson made it clear this week that his final ruling in the civil rights case will depend on whether the registrars can prove that qualified Negroes are not barred from the right to vote. He expected this to show up in their reports.

All three of Bullock's registrars—Chairman Julius P. Thompkins, John Wesley Guthrie Jr. and K. S. Yon—made voluntary statements during the trial Wednesday and Thursday denying racial prejudice.

HE ORDERED the board to report the names and addresses of each Negro applicant between now and June 21 and state whether the application was approved.

Federal attorneys are seeking appointment of federal voting referees in Bullock, a declaration that discrimination exists there and outlaw the entire voucher system.

In the Macon County civil

rights case, tried last month at Opelika, the government introduced mountains of records into evidence.

A string of witnesses testified—Negroes said they were turned down for minor technicalities on their applications and whites who said they could read very little testified they were registered to vote.

Judge Johnson in a 17-page opinion said the evidence was "overwhelming" that the board had discriminated against would-be Negro voters.

AT MONTGOMERY this week federal lawyers brought in as witnesses several Negroes who testified their attempts to register to vote in Bullock ended in failure.

Testimony failed to show why no more have sought to register since then, a point brought out by Judge Johnson in his statement.

Dyson, who has served on several Macon boards over the past few years marked by numerous resignations, said an unnamed person had agreed to serve on the board to fill the present vacancy.

U. S. agents check records at Prattville

BY LOU ISAACSON
News staff writer

PRATTVILLE, Ala., May 10—A team of five Civil Rights Diviison atorneys and three FBI agents moved into Hayneville in Lowndes County today after photographing more than 1000 voter applications here yesterday.

Arriving in Prattville unannounced the agents went to the Autauga County Board of Registrars office where they asked to inspect voter application dating back to 1955.

PROBATE JUDGE James Rice said today that about 1100 records were photographed.

It was understood that the agents had come here in connection with complaints of discrimination in voter registration.

However, Frank Dunbaugh, one of two Department of Justice attorneys, said yesterday that he "did not know enough about it," to say where any complaints originated.

Judge Rice said the agents completed their job by about 5 p.m.

With the agents was Spencer Robb, Montgomery G-man.

ASST. ATTY. GEN. Leslie Hall said the Justice Department demanded to see the records and "we had no choice but to accede . . . reluctantly in view of recent court decisions, even though we disagree with their right to do it."

VOUCHER SYSTEM OVERTURNED

Judge Reserves Ruling On Bullock's Registrars

By ARTHUR OSGOODE

U.S. District Judge Frank M. Johnson Jr., declaring himself "impressed" by declarations by three Bullock county voter registrars, held off action Thursday on a civil rights suit aimed at the practice of requiring supporting witnesses for voter applicants.

But he did strike down the requirement that such supporting witnesses can vouch for only two applicants a year.

The Federal judge said he was impressed by testimony of the three registrars to the effect that they "are ready and willing, even to the point of eagerness, to register all qualified Negro citizens."

But Johnson made it clear that his final ruling will depend on whether it is shown that qualified Negroes are in fact not barred from the right to vote.

NAMES, ADDRESSES

He required reports from the Bullock Board of Registrars on or before April 26, May 24, and June 21, giving the names and addresses of each Negro applicant, whether or not they were rejected, and the name and race of the voter who vouched for them.

But he did not grant the broad action asked by Justice Department attorneys.

He reserved his ruling on appointment of a federal voting referee, on a declaration that a pattern of discrimination exists, on a declaration in regard to the voucher rule, and on a sweeping injunction relating to the entire question of discrimination.

Johnson noted in his verbal order at the end of the day-and-a-half-long trial, that only five Negroes are registered to vote as against 2,200 whites in a county with a population ratio that is almost 3-to-1 Negro.

And he observed that he could find no explanation for the fact that only one Negro attempted to register since March 1, 1960, when the present board took office.

The two-a-year requirement for vouchers for voter applicants, Johnson termed "patently unconstitutional."

During the trial, defense attorney, L. K. Andrews, a state senator and prominent in state politics, sought to show that white citizens had not been approached by Negroes who needed vouchers to register.

The defense also implied that, though discriminatory practices may have been practiced in the past, the present board has operated without racial prejudice.

Each of the three registrars, Julius P. Thompkins, John Wesley Guthrie Jr., and K. S. Yon, requested that they be heard by the court on their attitude with regard to registration of Negroes.

Thompkins, chairman of the board, declared he had "a high respect for human rights."

OPEN DOOR

The board, he said, has "an open door for anybody that wants to register on days that we are open. . ." Earlier, he had stated his attitude as to race of applicants: "They're all people, as far as I'm concerned."

Guthrie, though not called to the witness stand, asked to be allowed to state his position also. He said that, at the time the board began operation, "We agreed to register any qualified person in Bullock county, regardless of color, religion, or creed."

Yon had made a similar statement on Wednesday.

Thompkins was questioned by federal attorney Dave Norman as to the reason for the board discussing the matter of racial discrimination.

The registrar replied that earlier lawsuits had shown evidence that discrimination had existed in the past.

Union Springs Mayor Frank Anderson Jr., led off a series of white witnesses for the defense Thursday, each of whom testified he would willingly vouch for a qualified Negro voter applicant.

SEVERAL QUESTIONED

Several of the witnesses were questioned by Judge Johnson, who sought to find how many Negroes they believed to be qualified.

Anderson said he could think of "a couple of dozen." Walter Ellis, president of the Bullock County Farm Bureau, said he could think of a dozen Negroes he knew who were qualified to vote.

The judge then declared that he would like to hear from a witness willing to vouch for "more than a dozen." He said the mere testimony from whites that they would vouch for Negroes was meaningless if the whites knew of virtually no Negroes they considered qualified.

During the first day of the proceeding, a series of Negro witnesses told of approaching white persons who refused to vouch for them. One told of a Negro refusing to vouch for fear his wife might lose her teaching job.

Andrews, cross-examining witnesses, drew from several others the admission that they had never asked a white person to vouch for them.

The government, in presenting its case, stressed errors made by white people in their questionnaires which had been passed over by the registrars.

A Negro witness had earlier testified that he had twice been rejected as a voter for failing to fill in one space on the questionnaire.

Thompkins Thursday protested to Johnson that the board had acted in good faith. "We possibly made some mistakes," he said. "We wouldn't be human if we didn't."

The government brought out that S. G. Trammell, father of Circuit Solicitor Seymour Trammell, had been registered though his questionnaire was erronesously filled out as to a couple of items.

But it was also brought out that the elder Trammell was rejected on his first attempt to register.

The state was represented during the trial by Gordon Madison, an assistant attorney general, who assisted Andrews in the defense.

The two-a-year voucher requirement, knocked out by Johnson had already been eliminated prior to the trial by agreement between the defendants and the government.

Bullock vote voucher trial begins today

BY TRUDY CARGIL7
News staff writer

MONTGOMERY, Ala., March 29—Trial of a civil rights suit alleging discrimination against praspective Bullock County Negro voters was scheduled to begin here at 9 a.m. this morning.

The Justice Department contens that a system requiring would-be voters to be supported b ytwo witnesses automatically limits the number of Negro applicants.

The federal government also emphasized there are only five Negroes registered in the county despite an 80 per cent Negro population.

DEFENSE ATTORNEYS—State Sen. L. K. Andrews of Union Springs and lawyers from the state attorney general's office—have replied that the use of the voucher system already has been upheld in federal court by the late Judge C. B. Kennamer, predecessor of Judge Frank M. Johnson Jr. who was to preside today.

Recently members of the Bullock County Board of Registrars promised to permit all qualified Negro prospects to register, according to Dave Norman, here to direct the federal suit along with Frank Dunbar and J. R. Flannery.

Norman sai dthe government will press its suit in an effort to outlaw the voucher system.

Two Bullock Registrars To Keep Posts

UNION SPRINGS (AP) — Bullock County's voter registration machinery will keep on functioning despite a federal suit charging the board of registrars with discriminating against Negroes.

Although voting officials in adjoining Macon County quit last week in the face of a similar Justice Department complaint, two of Bullock's three registrars said Saturday they intend to stay on the job.

Board Chairman Julius P. Thompkins of nearby Fitzpatrick and member Keitte S. Yon of Union Springs both said they have nothing to hide and will continue conducting voter registration as usual.

STILL OPERATE

The other voter registrar in the East Alabama County, John W. Guthrie Jr. of Union Springs, declined to say whether he will keep his post or resign.

Even if Guthrie quit, the Bullock Board of Registrars could still operate with two members. That is the minimum number required by state law for a functioning board.

Thompkins summed it up this way:

"I am not going to resign and I am not thinking about resigning. We've been operating under state law. If they want us to operate under their (federal) laws, let them send us some regulations."

But the Justice Department contends the board is not operating under state or federal law in requiring voter applications to be supported by two registered voters in the county.

BOARD POLICY

The federal complaint, filed in U.S. District Court at Montgomery Friday, claims that this board policy has limited the number of Negro voters to five, even though the county has about 5,000 Negro adults.

Co-defendants in the federal suit, seeking an injunction to prohibit anti-Negro discrimination in Bullock County, are the state and the three voting officials.

Yon denied the board has discriminated against Negroes, and said the board's policy of requiring supporting witnesses applies to white and Negro applicants alike.

OPEN RECORDS

"We have offered to open our records to the Justice Department," he said, "but no agents have come here to look at them. They would prove there has been no discrimination."

The board member said that since he and his two colleagues took over last March, only one Negro has applied for registration. "We're not supposed to go out and bring them into the office," he said.

U.S. Suit Orders Negro Vote Rights In Rural Alabama

By the Associated Press

Montgomery, Ala.

Federal efforts to safeguard Negro voting rights have spread into rural Bullock County, where only five out of about 5,000 Negro adults are registered voters.

The Justice Department filed a suit in federal court Friday charging systematic discrimination against would-be Negro voters and seeking an injunction to stop it.

United States District Judge Frank M. Johnson, Jr., was asked to compel the State of Alabama and the three-man Board of Registrars to register all eligible voter applicants regardless of race or color.

The voting officials named codefendants with the state are Julius P. Thompkins of Fitzpatrick, board chairman, and members John W. Guthrie, Jr., and Keitte S. Yon, both of Union Springs.

In its complaint the government contends the board discriminates against Negroes by requiring voting applications to be supported by two previously registered voters in the eastern Alabama county.

And, says the complaint, the registrars permit a voter to act as a supporting witness for no more than two applicants a year. Thus the Negroes have difficulty getting anyone to help them register.

The Justice Department said Alabama law does not require such statements vouching for applicants' character, morals, education, habits, and fitness to vote.

2 Alabama Cases Taken Under Study

NEW ORLEANS, Jan. 16 (AP)—A three-judge Federal appeals court today took under advisement two Alabama cases that challenge the constitutionality of the 1960 Federal Civil Rights Act.

The cases stemmed from demands by the Department of Justice to examine and photograph voter registration records in two Alabama counties, Montgomery and Wilcox.

Alabama assistant attorney general Leslie Hall, who argued the case with Gordon Madison for the state, said the act gives the U. S. attorney general too much power in starting such voter probes.

He labeled them "star chamber" powers and violations of the due process clause of the constitution.

But Assistant U. S. Atty. Gen. Harold Tyler Jr., contended the law is extremely fair to both the states and the Federal government. He said in many cases, there have been no prosecutions and no irregularities found.

In one case, Alabama challenges a Federal Court ruling that Federal agents have a right to examine voting records. In the other, the state is trying to force the Justice Dept. to release complaints and correspondence on which the investigation is based.

Chief Judge Elbert Tuttle of the Fifth Circuit Court of Appeals, along with Federal District Judges Warren Jones of Jacksonville, Fla., and Sidney C. Mize of Mississippi, heard the arguments.

Roll Of Voters Ordered Open

Alabama County Must Let U.S. Agents Examine Registrations

BIRMINGHAM, Jan. 23. — United States District Judge H. H. Grooms Monday ordered voter registration records in Sumter County in West Alabama opened to Federal investigators by noon Tuesday.

Alabama Atty. Gen. MacDonald Gallion asked if he could get a delay in the deadline for an appeal to a higher court.

Judge Grooms said no.

Mr. Gallion said he would decide later whether to carry the case to a higher court. But it appeared any appeal would be meaningless, with Federal agents long finished with the records before another ruling could be made.

Overturns State Court

Specifically, the judge, acting after a two-hour hearing on a Justice Department suit, made these rulings:

1. Under terms of the 1960 Civil Rights Act, the records must be open for inspection by Federal agents seeking possible evidence of racial discrimination in the registration of voters.

2. Overturned a state court injunction that had closed the records to Federal agents. He held that Federal agents' action under Federal law took priority over the state court ruling.

Gallion said the records would be made available at the Sumter Courthouse in Livingston.

Following the rulings, Gallion asked for court permission to be present when Federal agents go over the records. Judge Grotoms turned him down.

The Sumter County case, one of five in Alabama involving recent Federal investigations of voting rights, started last June when the Justice Department asked for—and got—permission to inspect the records.

Stymied By Injunction

But with the job barely two hours old, Circuit Judge Emmett F. Hildreth issued an injunction barring anyone from examining the records except Gallion, the three members of the Sumter Board of Registrars, and Probate Judge W. E. Dearmen.

The Justice Department came back in December with the suit seeking Federal court authority to inspect the records.

Sumter County, located in rural West Alabama on the Mississippi state line, has about 3,500 registered voters, about 300 of them Negro, said E. C. Godfrey, chairman of the Board of Registrars.

He said registration has been going on as usual — with the board open for applications twice a month—since the Federal agents first appeared seven months ago.

He said no Negroes have applied for registration in recent months.

Open Vote Records, Alabama County Told

By The Associated Press

Birmingham, Jan. 23.—United States District Judge H. H. Grooms Monday ordered voter-registration records in Sumter County in west Alabama opened to federal investigators by noon Tuesday.

Alabama Attorney General MacDonald Gallion asked if he could get a delay in the deadline for an appeal to a higher court. Grooms said no.

The judge, acting after a 2-hour hearing on a Justice Department suit, made these rulings:

1. Under terms of the 1960 Civil Rights Act, the records must be open for inspection by federal agents seeking possible evidence of racial discrimination in the registration of voters.

2. Overturned a state-court injunction that had closed the records to federal agents. He held that federal agents' action under federal law took priority over the State-court ruling.

Sumter County, whose seat is Livingston, has about 3,500 registered voters, about 300 of them Negroes, said E. C. Godfrey, chairman of the board of registrars.

March 27 hearing in District Court here.

The practice, it is charged by the Justice Department, effectively keeps down the number of colored voters in Bullock County, where the suit originated.

There are less than a half dozen colored registered voters in the county, the suit alleges, and white voters are unwilling to vouch for colored applicants.

Scheduled to preside over the hearing is Judge Frank M. Johnson Jr., who last month heard a suit brought by a colored voters in Macon County.

The Bullock County voucher system also limits registered voters to vouching for not more than two applicants per year.

Ala. vote scheme hit

MONTGOMERY, Ala. — A suit by the Federal Government aimed at the Alabama practice of requiring voter applicants to bring two registered voters to vouch for them has been set for

MRS. WILLIS RETURNING

Registrar Vacancy Filled

Mrs. C. B. Willis, a former chairman of the Montgomery County Board of Registrars, has been reappointed to that board to serve out the unexpired term of the late Mrs. R. P. Lampley.

The appointment of Mrs. Willis was made by the State Board of Registrars — Gov. John Patterson, Agriculture Commissioner R. C. Bamberg and State Auditor Mary Texas Garner.

Mrs. Willis, a resident of 2114 St. Charles Ave., was a member of the voter registration board from 1951 to 1959, serving as chairman throughout that time.

Mrs. Lampley was named to the board in November, 1959. She died last Friday night following a brief illness.

Two other members of Montgomery County's registration board are Crum Dinkins, chairman, and George W. (Doc) Penton.



MRS. C. B. WILLIS
Named Registrar

Suit Charges Vote Denial In Bullock

By ARTHUR OSGOODE

The Justice Dept. Friday asked U.S. District Judge Frank M. Johnson Jr. to stop Bullock County voter registrars from denying Negroes the right to vote.

The suit charged that the registrars have pursued a policy that has never allowed more than six Negroes to be eligible to vote at any time during the past 10 years.

It says that voter applicants in the county must bring along a registered voter to support their statements as to character, morals, and other qualities bearing on their fitness to vote.

According to the complaint, this requirement effectively prevents Negroes from being registered in more than token numbers.

It said that there are approximately 5,000 Negroes of voting age in Bullock County, of whom only five are now registered voters, and 2,500 eligible whites, of whom 2,200 are registered.

Under provisions of the 1960 Civil Rights Act, the government attorneys named the state of Alabama as a defendant.

SUPPORTING WITNESS

Citing the requirement of a supporting witness for applicants, the suit also alleged that a qualified voter may act as a supporting witness for only two applicants a year.

The policy of the registrars, it was charged "is to make registration to vote in Bullock County dependent upon the assistance of registered white voters . . ."

An injunction was sought that would forbid the registrars from requiring registered voters to support statements of voter applicants.

Also asked was that the board be enjoined from "any acts or practices" that resulted in a distinction between Negro and white voters.

The registrars cited are Julius Paschal Thompkins of Fitzpatrick, the chairman, and John Wesley Guthrie Jr., and Keitte Sanders Yon, both of Union Springs.

Bullock was among six Alabama counties investigated by the U.S. Civil Rights Commission in 1958.

Registration Group Now Restructured

The Ninth Congressional District of the Alabama State Cordinating Association for Registration has been re-structured with the creation of four sub-chairmen.

Atty. Orzell Billingsley, Jr., announced that Wilbur H. Hollins, a powerful figure in the Smithfield unit of the Jefferson County Progressive Democratic Council and manager of Vulcan Realty and Investment Corporation, had been named to one of the divisional chairmanships.

The Rev. George Rudolph, an influential voice in the Enon Ridge Civic League, and a veteran voter-registration expansion figure, was selected to head a committee in the revamped set-up.

Mrs. Adine Drew, who has worked at the Masonic Temple poll tax booth, was placed in charge of women's activitces. Atty. J. Mason Davis, president of Zenith Savings and Investment Club, was also given a division chairmanship.

Meantime, Mr. Billingsley said the organization is conducting a four-in-one campaign. It includes the stimulation of the payment of poll tax, voter-reidentification, voter-registration and political education.

There are approximatedly 35 municipalities in Jefferson County, whcih makes up the Ninth Congressional District. Mr. Billingsley did not indicate whether his organization is seeking to locate and develope political action leadership in all of these incorporated incorporated municipalities.

For Fair Voting Opportunities

Repeatedly and consistently the Birmingham World has taken a position opposite to those who advocate tightening the voter-registration laws as a new means of unfairly restricting the registration of members of the Negro group and of disfranchising those entitled to a voice in their government.

Alabama's voter-screening law is already stiff and difficult. The administration of this law is not always done evenly in every county. There are no Negro voter-registration officials in any of the sixty-seven Alabama counties. Those who would tighten-up the laws do not advocate placing members of the Negro group on boards of registrars. Eventually facts of this kind might become the legal basis of indicating.

In its lead editorial March 24, The Birmingham News after conceding "that denial of the right to register and vote to obviously qualified Negroes cannot continue long", says:

> "What still is very much in order is a full restudy of voter requirements in Alabama, a tightening of registration regulations and application forms so as to eliminate memorizing of registration procedures."

First memorizing is a form of knowing. It is a method of learning, as any school teacher will say. If one is to pass the name of The Birmingham News on to a prospective subscriber, that involves to some extent, memory, or knowing. Hence it is hard to follow the reasoning of The Birmingham News.

The Alabama voter-registration laws are so tough that in Wilcox County and Lowndes County there are still no Negro voters. Something is wrong either with the voter-registration system or the public education system that no more than a token number of Negro citizens in Alabama is able to get their names on the voters' rolls. Of approximately 121,000 Negro persons in Jefferson County twenty-one years of age and older, there are less than 14,000 Negro voters.

This newspaper is against the denial of voting based upon race no matter how it is done. The "tightening of registration regulation" in the context in which The News projects it seems to be the advocacy of racial disfranchisement. It is hard to understand the position taken by a newspaper which sets no such test of those who buy it.

The News has not "tightened" when it comes to selling its newspapers. A Negro person with the cash can purchase a subscription of the paper the same as any other. But when it comes to voting The News would seem to draw a different line. One who is intelligent enough to read The News might also be qualified enough to vote. Make that a standard of voter-registration qualification.

Certainly, improve the matter of voter-registration to provide a fair, steady and full flow of qualified voters regardless of race, county or population distribution. This is a sound way to make the voter-registration machinery serve the ends of democracy and the demands of an America faithful to its credo. The Negro group has the duty to see that voter-registration serves democracy rather being a tool of the would-be disfranchisers.

Dallas Target Of First Voting Suit By Demos

Hearing Set For May 29 On Petition

MOBILE (AP)—President John Kennedy's Administration Thursday picked a south central Alabama county where Negroes outnumber white persons for its first court action involving voting rights.

The Justice Department petitioned U.S. District Court for an injunction to ban discrimination against registration of Negro voters in rural Dallas (Selma) County.

Judge Daniel H. Thomas set a hearing for May 29 at Selma on the government's motions.

TRIED TO WORK OUT

Atty. Gen. Robert F. Kennedy, who signed the petition along with other federal officers, said at Washington:

"We attempted to work this out with officials in Alabama, but were unable to do so. Where there is failure to have voluntary compliance by local authorites, we will seek legal action, as we have done in this case.

"It is very important that all citizens have a right to vote, regardless of race, creed or color."

The previous administration had filed similar actions in a number of Alabama counties, including Jefferson (Birmingham), Sumter, Macon, Wilcox, Bullock and Montgomery. Robert Kennedy noted that the Dallas action was the first voting case initiated by the present administration.

The petition charged that the Dallas Board of Registrars has engaged in "racially discriminatory acts and practices." It asked Judge Thomas to grant a motion requiring that the board open all its records since Jan. 1, 1952, for inspection by federal agents.

TWO VACANCIES

Named as defendants were the State of Alabama and J. P. Majors of Safford, a member of the board. The complaint said two vacancies have existed on the three-man board since Nov. 30, and the board has failed to function since that time.

The government asked for an order requiring Alabama to appoint and maintain "a functioning board and to require that all qualified Negroes be permitted to register and vote."

The complaint said there are approximately 15,115 Negroes of voting age in the county, but only 156 are registered to vote. Of the 14,400 white persons of voting age, 9,195 are registered, it said.

The action also claimed that at least 28 with college educations, sought to register during the past nine years, but none was accepted.

If the court upholds the Justice Department contention that alleged discrimination in Dallas follows "a pattern and practice," it could lead to appointment of federal voting referees under the 1960 Civil Rights Act.

The suit also asked that the county board be prohibited from giving different or harder voter qualification tests to Negroes than to whites, and that the registrars be required to notify all registration applicants of the disposition of their cases within two weeks.

The complaint charged that Negro applicants had been discriminated against through more difficult registration application standards, delay in processing of applications, and failure to give notice of the disposition of applications.

It asked that the court order the registration of Negroes who possess the qualifications of the least qualified white person who has been registered to vote.

U.S. Files Voting Suit In Alabama

By PATRICK HARDEN

MOBILE, Ala. (UPI) The Justice Department last Friday charged that Dallas county, Ala., has registered only 156 of the county's estimated 15,115 prospective Negro voters.

A suit, filed in U.S. district court here, was the first voting rights complaint by the Kennedy administration. It was the seventh filed against Alabama counties, however. The previous suits were brought by the Eisenhower administration.

The Justice department asked a permanent injunction halting the alleged discrimination and demanded that Dallas county registrars surrender voting records for inspection by federal agents.

The Government charged that the Dallas county board "has failed to function" since Nov. 30, 1960 and has been short two members since that time.

The complaint, brought under the U.S. Civil Rights Acts of 1957 and 1960, **also said the board ignored the applications of qualified Negroes and set up more stringent standards for Negroes than white applicants.**

The Justice department noted that 9,195 of the county's estimated 14,400 white persons were registered voters. Of 15,115 would-be Negro voters, 156 are registered the government charged.

U. S. District Judge Daniel H. Thomas set May 29 as a hearing date on the motion for inspection of records.

John Doar of the Justice department told Thomas that during the past nine years 28 Negro college graduates were among those unable to obtain a registration certificate.

The government asked Thomas to order Dallas county to "register all Negroes...who have applied for registration and who possessed at the time of the applications the qualifications of the least qualified white person who applied during the same year and was registered."

CHECKING SINCE 1958

No Vote Irregularities Found By Dallas Juries

SELMA—Dallas County grand juries since December 1958 have been checking applications of Negroes turned down on voting and have found no irregularities, Solicitor Blanchard L. McLeod said Friday.

The statement came after the Justice Department petitioned U.S. District Court in Mobile for an injunction to ban alleged discrimination against registration of Negro voters in Dallas County.

"We have been carrying on our own investigation since 1958," McLeod said. "We asked the federal government then to give us the facts of any violation so we could handle them. The federal government has not given us any information." This occurred after the Civil Rights Commission investigated voter registration in six Alabama counties, Dallas among them, in December, 1958.

He said the grand jury investigations were ordered because "people claimed there was discrimination."

McLeod said he has not been served with papers regarding the suit filed Thursday. Atty. Gen. MacDonald Gallion said in Montgomery Friday he has not been served either.

Gallion has promised the state will "strongly contest" the suit. He said he will confer with members of his staff, McLeod, J. P. Majors, only member of the board of registrars, and possibly with ex-members of the board.

Judge Daniel H. Thomas set a hearing for May 29 at Selma on the government's motions.

FIRST BY DEMOS

Atty. Gen. Robert F. Kennedy, who signed the petition along with other federal officers, said at Washington:

"We attempted to work this out with officials in Alabama, but were unable to do so. Where there is a failure to have voluntary compliance by local authorities, we will seek legal action as we have done in this case."

The Dallas action was the first voting case initiated by the present administration.

The petition charged that the Dallas Board of Registrars has engaged in "racially discriminatory acts and practices." It asked Judge Thomas to grant a motion requiring that the board open all its records since Jan. 1, 1952, for inspection by federal agents.

US Files Alabama Vote Suit

Atty. Gen'l Says College Graduates Denied Ballot

Louisville Defender
P/ Thurs 4-20-61 B4

(Special To Defender)

Mobile, Alabama — The Department of Justice charged today that Negroes in Dallas County, Alabama, have been deprived of their voting rights and asked for a federal court injunction to halt the alleged discriminatory practices.

Attorney General Robert F. Kennedy announced the filing of a civil complaint in Mobile, Alabama, naming as defendants the State of Alabama and J. P. Majors, of Safford, Alabama, a registrar of voters in Dallas County. The action was brought under the Civil Rights Acts of 1957 and 1960.

"This is the first voting case that we have filed," Mr. Kennedy said. We attempted to work this out with officials in Alabama but were unable to do so. Where there is failure to have voluntary compliance by local authorities, we will seek legal actions as we have done in this case.

"It is very important that all citizens have a right to vote regardless of race, creed or color."

United States District Judge Daniel H. Thomas set a hearing for 10:00 a.m., May 29, in Selma.

Louisville Ky

About 9,195 of 14,400 white citizens of voting age in Dallas County are registered, while only 156 of 15,115 Negroes are registered, the complaint said.

Five Ways

The complaint assested Negroes have been discriminated against in five ways:

—More difficult registration application tandards have been appled to Negroes than whites;

—Negro registration applications have been unreasonably delayed;

Louisville

—Qualified Negroes have been denied registration;

Louisville

—Negro applicants have not been notified of decisions by the Board of Registrars on their applications;

P 18

—The defendants have failed to provide a full-time operating Board of Registrars, a state agency, "knowing that the vast majority of Negroes of voting age in the county have not yet become registered voters" while the vast majority of eligible whites were registered.

Thurs, 4-20-61

Since last November 30, Mr. Majors has been the only member of the Board, the complaint said. Two positions which became vaiant at that time have not been filled and the Board has failed to function, the complaint asserted.

Mr. Kennedy said the action asks the court to order that Alabama appoint and maintain a functioning three-man Board and to require that all qualified Negroes be permitted to register and vote.

Louisville, Ky

Order

Simultaneous with the filing of the complaint, the Department of Justice applied for an order permitting Department lawytrs to inspect and coppy all registration records of the oard of Registrars since January 1, 1952. The records are at Selma, the county seat.

An affidavit supporting this discovery motion asserted that since 1952 at least 75 Negroes have sought to register and taken registration tests. Some applied more than once. However, none received registration certificates nor were told why by the Board of Registrars.

Of the 75, Mr. Kennedy said, at least 28 have college degree and at least 28 are high school graduates.

Federals Map Montgomery Voter Drive

Justice Department attorneys are planning to call for the immediate registration of an undisclosed number of Montgomery County Negroes in their suit against the local Board of Registrars.

Answering questions put by attorneys for the board, the government lawyers said they had not determined how many they would ask U.S. District Judge Frank M. Johnson Jr. to order placed on the voter rolls.

Johnson's action in ordering 64 Negroes on Macon County voter rolls was challenged by the state this week before the U.S. 5th Circuit Court of Appeals. The state contended Johnson overstepped his authority and usurped the functions of the registrars.

COULDN'T DECIDE

The government said it could not decide which Negroes it will ask to be registered, and that first a check must be made to be sure that none of them have changed their place of residence or been convicted of criminal offenses.

In other answers, the government charged the local registrars with imposing "different or more stringent registration procedures" for Negroes.

Listed were a total of 1,158 Negroes, all allegedly rejected by the registrars for minor errors or omissions in their application forms.

The government said that of these, six held master's degrees, 152 had completed four years of college, 222 others had some college training, and 330 had 12 years of schooling.

Government attorneys, answering questions as to alleged discrimination, charged the registrars accepted white applicants while rejecting Negroes who were better qualified, and helped whites with their applications while ignoring Negro applicants.

GOVERNOR JOHN PATTERSON SIGNS NEW REGISTRAR ACT.

Governor signs new registrar act

Birmingham News 8/4
Jule 9-27-61

MONTGOMERY, Ala., Sept. 26 —(AP)—Gov. John Patterson has signed into law an act aimed at protecting county voter registrars from civil rights suits by augmenting their functions with a state agency.

The new law, subject to approval in a statewide referendum Dec. 5, would set up a three-member State Board of Examiners for Voter Registration.

Board members would prepare questionnaires to be filled out by prospective voters, changing the examination from time to time to prevent applicants from memorizing answers.

County registrars would administer the test, then send the completed quiz back to the state board for grading. The questionnaires would bear only numbers, with no reference to the applicant's name, sex or race.

Tom King And The Issues

The Birmingham News
Birmingham, Ala.
Sun, 5-21-61
E. 18
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VOTERS OF BIRMINGHAM in this second primary now only nine days away have before them three questions:

1. Which candidate has the better qualifications for mayor?

2. Which candidate has defined the issues most clearly?

3. Will they vote on the basis of the above questions or on the basis of rumor?

The Birmingham News before and since the first primary has not only studied both candidates thoroughly. It has looked into their backgrounds, examined their proposals and statements. And it has had the privilege of interviewing both.

In reading of candidates' records, in listening to their statements in campaign talks, in reading in the press their charges and counter-charges, the individual voter can find some guidance to help him make up his mind.

But there is nothing which provides insight into candidates like an interview conducted on candid lines in which candidates present themselves as prepared to answer questions.

Both candidates sought *The News'* support. Both visited with *The News'* editorial board several times. Both were asked and gave their own answers to many questions.

When *The News* through its editorial board had met with the candidates both before and after the first primary, it came to the absolute conclusion, based on study of records, based on what the men had said publicly, and based on insight gained through candid conversation, that Tom King was the man more positively prepared for the job, with the most concrete program, with the better insight into what have been the city's shortcomings.

The News endorsed Tom King on these bases and these bases only. He had the better qualifications in the opinion of an editorial board made up of several men who for years have observed politics and political aspirants. This board was asking itself only one question:

What's best for Birmingham?

TOM KING WAS very specific in his television appearance Wednesday night. He defined the issues by asking 10 questions:

1. Would his opponent pledge to cancel the 23-year airport parking lease which gives much profit to private individuals and little return to the city, hence the voters?

2. Would he cancel the auto leasing contract given to an individual while that individual was a city employe?

3. Would he reinstitute the airport authority and once and for all take the airport out of politics?

4. Would he eliminate a monopoly on aircraft servicing at the airport?

5. Would he eliminate an architect's "monopoly" on city construction?

6. Would he eliminate an engineering "monopoly" on city projects?

7. Would he adequately and entirely objectively be able to negotiate with Hayes Aircraft, his former employer and the city's largest tenant?

8. Would he disavow the support of men close to City Hall, including one employe of the city, who were involved in possession of a photograph of Tom King shaking hands with a Negro—a photograph taken from a City Hall window?

9. Would he disavow support of men involved in the airport contracts?

10. Has he changed his position in specifically asking for NAACP support?

TOM KING in enumerating these questions was saying correctly:

These are valid questions, they involve the issues of what type man and with what connections will head this city's government.

They were questions growing out of Tom King's early campaign showing that he was going to talk about specific matters—not just offer vague, generalized promises to perform well as mayor, not just statements of affection for the city.

These specific matters involve the climate of government in Birmingham which in turn affects how far ahead we can move Birmingham and how fast.

VOTERS NOW MUST decide for themselves whether there is any truth in charges of his opponent that he is a captive of the Negro bloc vote.

Obviously in a time of racial tension, the question becomes of very great concern to the electorate.

Tom King has said an emphatic "No!" to this question and he has convinced *The News* that he means just that.

He has received no NAACP money. He has not solicited NAACP support.

He did get a large Negro vote in principal "Negro boxes." So did Mayor Jimmy Morgan, so did former Mayor Cooper Green. *Were they captives of a bloc vote?*

Tom King is Alabama born, Alabama educated, is an Alabama attorney, was named by Alabama's and Jefferson County's Alabama born and educated George Huddleston to be the representative's right hand man, his top assistant, for six years in Washington.

Coupled with the rumor about the NAACP and Tom King is the intended sly suggestion that King is "from Washington."

He is as much "from Washington" as is George Huddleston who is in the capital city for the same reason Tom King was there for six years—to help the people of Birmingham and the City of Birmingham in getting the best possible results in any necessary dealings with the federal government in any way.

The race and Washington arguments fall flat.

Tom King brought out the facts of the picture of him shaking hands with a Negro. It has not been denied that transfer of the picture, taken from City Hall, was just as Tom King described it. That picture was in possession of backers of Mr. King's opponents and they *did* give it out to an inquiring voter. Art Hanes' campaign manager hasn't denied sending the man where he went to see the picture. The motive was clear, whatever the denials—the picture was intended to be used to suggest Tom King was soliciting the Negro vote. This he has not done. He did not bring any race issue into the campaign until a smear based on the race picture was begun.

IN TOM KING voters have a candidate who is clean and capable and who is direct and who looks the people in the eye. He has said he will cancel the special leases given out.

He is a driver, a man with ideas, a man with energy and a specific program to set Birmingham in motion.

His experience is extensive—as an administrator with Rep. Huddleston, as an attorney, as a man with a thorough training in accounting.

King has personally told already nominated Eugene Connor he will work with him.

The people of Birmingham now face their opportunity to put into the mayor's office a man who will take action and give the city a show of new energy and planned progress.

The City of Birmingham needs Tom King, the people need Tom King.

Birmingham voters, that is the *full* story. Those *are* the issues. Those *are* the facts to set alongside rumor and inuendo.

The decision is *yours* and it is vital to this community's future welfare.

VOTE REGISTRAR INVOKES THE 5TH

The N. Y. Times
New York, N. Y.

Louisiana Aide Denounces U. S. Rights Inquiry

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, May 6—A voter registrar refused to testify on her registration practices today on the ground of possible self-incrimination.

The official, Mrs. Lonnie L. Linton of Claiborne Parish (county), invoked the Fifth Amendment to the Constitution when called before the Federal Civil Rights Commission. It was the first time a witness had taken this step after being sworn to testify at a commission hearing.

Sun 5-7-61

She also submitted a statement in which she likened the proceedings in the Post Office building here to "the public trial of Cuban patriots now being conducted by the Communist Fidel Castro."

The Congressional act creating the commission, she asserted, "was passed in a 'hate the South' atmosphere unparalleled since the days when the infamous Thaddeus Stevens and his mulatto mistress ruled Washington and dictated 'civil rights' legislation seeking the total destruction of a defeated South."

Thaddeus Stevens, a Republican Representative from Pennsylvania, was a militant abolitionist in the Civil War period.

Assails Procedure

Mrs. Linton criticized the procedure followed by the commission in its hearings in denying registrars the right to cross-examine their accusers or to obtain a copy of their complaints. Then she said:

"Moreover, you have refused to tell me what I am charged with—I don't even know who made the complaints or how many have been made—therefore, anything I say may later be used to try to convict me even though I am completely innocent.

"So, gentlemen, I now find myself like unto the great Christian leader, Martin Luther, when he uttered his immortal declaration: 'Here I stand; I can do no otherwise. God help me. Amen!'"

The registrar said her statement had been prepared by W. N. Shaw, a lawyer, "with my consent and my help." Mr. Shaw is an executive of the State Legislature's Joint Committee on Segregation.

In White-Supremacy Area

Claiborne Parish is the home of William M. Rainach, a former State Senator and unsuccessful candidate for Governor and a militant advocate of white supremacy. The parish lies in the so-called Black Belt on the Arkansas line.

Of 5,032 Negroes aged 21 and over in the parish, only thirty are registered to vote. But 5,487 of the 6,415 white persons in that age group are on the rolls.

Mrs. Linton was one of four upstate registrars who appeared at the closing session of the commission's two-day hearing into the alleged denial of Negro voting rights in Louisiana. Six appeared yesterday.

Statistics obtained from the commission show that 1,067,651 whites are registered in Louisiana and only 153,106 Negroes. Four parishes with large Negro populations have no Negroes registered and thirteen others have fewer than 100.

Practices Vary Widely

Registration practices vary widely from parish to parish. The hearings brought out the following pattern in upstate areas where discrimination has been alleged:

¶Registrars are the final arbiters and operate with virtually no supervision.

¶Applicants are rejected for such errors as reversing the order in giving the county and state and the month and day of birth.

¶Negroes, in some cases, are required to interpret clauses of the state or Federal Constitutions while most whites are not.

¶Negroes, in a few parishes are asked to explain constitutional passages more difficult than those given whites.

¶Some registrars reject applicants who misspell words.

U. Charles Mitchell, registrar of Caddo Parish, submitted a smaple application form to the commission.

In the blank for the date on which th applicant became a resident, Mr. Mitchell had written "life."

Calls It Typical Error

He said this was typical of the errors upon which he rejected applicants. Asked why only 9.9 per cent of the potential Negro registrants in the parish were on the rolls compared with 62.2 per cent of the whites, he replied:

"I couldn't answer that."

The population of Madison Parish in the Mississippi River delta is 64.9 per cent Negro, but no Negro has ever voted or been registered there.

The registrar, Miss Katherine Ward, told the commission that she could give no explanation for this.

"I'm not in favor of discrimination," she told Robert G. Storey, vice chairman of the commission and president of the Southwestern Legal Center.

The commission chairman, Dr. John A. Hannah, president of Michigan State University, told Miss Ward that as a result of her statement "I should hope that a goodly number of Negroes would now seek to register."

Senate Unit OKs Change In Vote Law

By KARL PORTERA

The Senate Judiciary Committee gave its approval Wednesday to two bills designed to prohibit discrimination in the registration of voters and at the same time lessen the possibility of suits against local registration boards.

The measures, sponsored by Sen. A. K. Andrews of Bullock, were given a favorable report by the committee by a vote of 10 to 4 over several mild objections concerning technical aspects of the proposed testing system included in the bills.

Andrews said that the tests would be a reasonable examination of a voters qualifications. The tests would be graded in Montgomery by a computer machine.

"These bills would ensure that there would be no discrimination shown toward a prospective voter," Andrews said. "And at the same time they would promote better citizenship within the state."

KEYED TO ABILITY

The tests would apply to the applicant's ability to read and write and to his understanding of various elective offices and their functions. The examinations would be graded and rated by a number system rather than by the name of the applicant on the form.

The county registration board would be responsible for giving the tests and would determine the moral qualifications of the applicant.

These bills also call for the establishment of a State Voter Registration Board with the responsibility of selecting the questions to be asked and the grading of each examination. This board would also be in a position to change the examination forms in any given section of the state at any time it desires. In this manner it is not likely that the same set of questions would be asked over any great period of time in any area.

EARLY ACTION

In earlier action, the committee approved a bill introduced by Sen. Ryan deGraffenried of Tuscaloosa to make the distribution of obscene literature in the state a criminal offense.

The bill provides for a speedy method of determining what is considered obscene pictures or materials and to ensure hearings on these charges by a local solicitor.

Under the measure anyone indicted for the distribution or circulation of obscene publications would be charged with a misdemeanor.

The Alabama Magazine Distributors Associatoin is backing the bill and it was presented to the committee by attorney Drayton Hamilton of Montgomery as representative of the association.

The House Judiciary Committee also heard a similar bill concerning obscene publications Wednesday and returned a favorable report on it.

A proposal by Sen. Alton Turner of Crenshaw to increase the pay of county prisoners working out costs and fines at hard labor from 75 cents to one dollar a day was given a favorable vote by the Senate group.

Vote Examination Bill Gains Favor

A bill which would make it more difficult for prospective voters to prepare themselves for the written examination they must take was given a unanimous favorable report Wednesday by the House Judiciary Committee.

The measure, sponsored by Rep. J. J. (Junie) Pierce of Montgomery would allow county registration boards to give a different written examination to applicants each month.

This would prevent applicants from memorizing answers to the questionnaires. In recent years there have been reports of special classes being held for Negroes where they memorized the questions and answers.

In other action the committee approved a bill which would allow a person whose death sentence had been commuted to life imprisonment be eligible for parole as soon as other lifetermers.

Under the present law if a person's death sentence is reduced to life, he is not eligible for parole for 15 years. Those given a life sentence are eligible after 10 years. Rep. Pete Turnham of Lee sponsored this measure which had the backing of Prisons Commissioner A. Frank Lee.

Another bill by Turnham approved by the committee would allow veterinarians to secure a lien on animals he might treat and in the event payment was not made for the treatment the veterinarian could sell the animal.

Also approved were two measures by Montgomery Rep. George (Bubba) Bailey which sets a maximum fine of $100 and a jail sentence of from 5 to 30 days for dumping rubbish on highway right-of-ways.

FBI Pushes Dallas Vote Suit Probe

SELMA (AP)—Statements from present and former Dallas County voter registrars were being taken by federal agents Thursday in connection with a federal suit seeking to ban Negro discrimination.

The Justice Department suit filed April 13, was the first such action taken by the administration of President John Kennedy.

A hearing is scheduled May 29 in U.S. District Court here.

Among those subpoenaed was the county's only current member of the board of registrars—J. P. Majors of Safford — and former registrars dating back to 1952.

OTHERS SUBPOENAED

Defendants are the State and Majors.

Representing the State and the Dallas County Board were Asst. Attys. Gen. Leslie Hall and Gordon Madison of Montgomery, Circuit Solcitor Blanchard McLeod and T. G. Gayle, a Selma attorney.

Others subpoenaed besides Majors were Weston Scarsbrook of Orville, J. L. Tackett of Marion Junction, and Mrs. Ruth Horne; Mrs. J. D. Giles, Howard Crandall and Horace Zimmerman, all of Selma, as well as Probate Judge Bernard Reynolds.

They were called in one at a time by the federal agents, headed by John Doar of the Justice Department.

The government's suit askes that U.S. District Court require Alabama officials to appoint and maintain a "functioning board and require that all qualified Negroes be permitted to register and vote."

Dallas has had but one voter registrar since November.

Alabama Atty. Gen. MacDonald Gallion last week moved for dismissal of the petition. He contended that the government failed to state a claim against the defendants and that federal court lacked jurisdiction.

Bob Kennedy Urges End To Vote Bias

WASHINGTON (UPI) — Atty Gen. Robert F. Kennedy, in a series of phone calls, face-to-face meetings, and conferences, has urged Southern leaders to end voting discrimination against Negroes on their own and avoid court action.

Kennedy, testifying before a House appropriations subcommittee, said this friendly persuasion approach apparently has worked in some cases. His testimony was released today.

"When I have pointed out to them that in a certain county or a certain area it would appear that the Negroes were discriminated aagainst," Kennedy said, "in a number of instances they have indicated they themselves would take steps to insure that the Negro is permitted to register."

Kennedy told the subcommittee the Justice Department would let the state or local authorities end the discrimination wherever possible.

"But where steps will not be taken . . . we ourselves will have to move," he added.

Kennedy said the Justice Department planned a more aggressive program in the field of civil rights and said, "I think a great deal more could be done in the voting field than has been done in the past for one reason or another."

The attorney general indicated one of his prime targets would be the 14 counties in four Southern states where there are more Negroes than whites but no Negroes are registered.

Kennedy did not name the counties but they are known to be Lowndes and Wilcox in Alabama; East Carroll, Madison, Tensas and West Feliciana in Louisiana; Baker and Webster in Georgia and Carroll, Jefferson, Issaquena, Noxubee, Tallahatchie and Pate in Mississippi.

Dallas Vote Officials Balk Federal Quiz

SELMA (AP) — Seven of Dallas County's present and former voter registrars brought an abrupt halt to questioning by Justice Department lawyers after one of them had testified for nearly two hours.

Circuit Solicitor Blanchard McLeod said he advised the seven subpoenaed for testimony to give the Washington lawyers only their name, address and present occupation.

This came after J. P. Majors was questioned for nearly two hours Thursday.

McLeod said the attorneys were asking questions immaterial to the case.

The seven, he said, "would not participate in any such farce as this."

The Justice Department lawyers were questioning the seven in connection with a civil rights suit seeking to prohibit possible voter discrimination. The suit is to be heard in Federal Court here May 29.

McLeod said he told the lawyers to talk with U.S. District Court Judge Daniel H. Thomas at Mobile, who will hear the case. He said the registrars would answer any questions approved by Thomas.

The suit filed April 13 was the first such action taken by the present national administration.

Former registrars subpoenaed were Weston Scarsbrook of Orrville, J. L. Tackett of Marion Junction, and Mrs. Ruth Horne, Mrs. J. D. Giles, Howard Crandell and Horace Zimmerman, all of Selma. Probate Judge Bernard Reynolds also was subpoenaed.

All were present except Mrs. Horne, who was out of the state.

Alabama Fights US In Sumter Case

BIRMINGHAM (AP) — Alabama authorities have asked U. S. District Court to throw out Justice Department action involving voter registration in Sumter County.

Alabama Atty. Gen. MacDonald Gallion asserted in a brief filed Thursday that Congress has no right to interfere with state voter registration laws "at the mere whim of an appointed attorney general."

Replies to federal court complaints seeking to reopen Sumter County's voter registration records to federal agents were filed by Gallion and Sumter authorities.

Hearings in the Sumter County dispute are scheduled here Jan. 23.

Gallion, whose reply argues that federal court has no jurisdiction in the dispute, said:

"The Civil Rights Act attempts to constitute judges of federal courts as registers of electors, regardless of the electors' qualifications."

Federal agents were given permission to inspect the Sumter records last June, but were stopped by an injunction from Circuit Judge Emmett F. Hildreth after they had worked about two hours.

Hildreth argued in his reply Thursday that no action should be taken on the Sumter County case until the courts act on the constitutionality of the Civil Rights Act.

U.S. pushes probe of Ala. vote records

BIRMINGHAM, Ala. — The Justice Department sought federal court action last week to force Sumter County to show government agents the registration records.

Agents of the department of justice were halted last June after a two- hour inspection of the records. They were served with an injunction from Circuit Court Judge Emmett F. Hildreth which denied access to the records to all persons but a handful of Alabama officials.

In the current case, the government seeks to have Judge Hildreth's injunction dissolved and also to get a court order to open the records for inspection.

This situation parellels Montgomery County where Circuit Judge Walter B. Jones issued an injunction similar to Judge Hildreths. The injunction was overturned Federal District Judge Frank M. Johnson Jr.

* * *

SUMTER COUNTY, located near the Mississippi border, has only 300 colored voters registered in a total of 3,500 although the population ratio is much higher.

Registration board chairman E. C. Godfrey said that since the federal agents have been interested in the county, the registration office has been open for applications twice a month.

In Montgomery County, the registration office is also seldom open. On those days, local colored applicants charge, the registrars take an unusually long time to process applications. The result is that on any given day, few colored persons are permitted to register.

Officials File Defiant Reply In Vote Case

BIRMINGHAM (AP)—Alabama authorities asserted Thursday that Congress has no right to interfere with state voter registration laws "at the mere whim of an appointed attorney general."

Sumter County officials and Alabama Atty. Gen. MacDonald Gallion filed defiant replies to U.S. District Court complaints seeking to re-open Sumter's voter registration records for inspection.

The answers were filed in reply to cases brought a week ago notifying Gallion and Sumter registrars that the Justice Department would apply to federal court here for authority to view the records.

DENIES JURISDICTION

Gallion's reply denied that federal court has jurisdiction.

"The Civil Rights Act attempts to constitute judges of federal courts as registrars of electors, regardless of (the electors') qualifications," the reply said.

Last June federal agents asked for—and got—permission to inspect the Sumter County voter registration records.

But after about two hours of working over the records, they were stopped by an injunction from Circuit Judge Emett F. Hildreth.

TWO-PRONGED PETITION

Hildreth's order barred all but Gallion, the three members of the Sumter board of Registrars and Probate Judge W. E. Dearmen from inspecting the records.

In a two-pronged petition filed in U.S. District Court here Dec. 27, the Justice Department asked federal court to dissolve the state court injunction and to order the records opened for inspection.

The petition named Hildreth and the Sumter County sheriff, who was identified as Fred D. Chappell. The sheriff of Sumter County, however, is C. H. Scott.

The Justice Department also served notice that it would apply to federal court Jan. 12 for authority to view the records.

NOW CHALLENGED

The answers filed Thursday, from Sumter officials and from Gallion, both argue that the constitutionality of the 1960 Civil Rights Act was now being challenged in two cases pending before the U.S. 5th Circuit Court at New Orleans.

Those cases, set for argument Jan. 16, may be disposed of before hearings on the Sumter County case begin here Jan. 23.

Hildreth argues in the petition that no action should be taken in Sumter County until the courts act on the constitutionality of the Civil Rights Act.

Court Opens Voter Rolls In Alabama

BIRMINGHAM, Ala. (AP)—U.S. District Judge H. H. Grooms Monday ordered voter registration records in Sumter County in west Alabama opened to federal investigators by noon Tuesday.

Specifically, the judge made these rulings:

1. Under terms of the 1960 Civil Rights Act, the records must be opened for inspection by federal agents seeking possible evidence of racial discrimination in the qualification of voters.

2. Overturned a state court injunction that had closed the records to federal agents.

Rights Suit Names Bullock Registrars

BY PATRICK HARDEN

MONTGOMERY, Jan. 20 (UPI)—The Federal government filed a civil rights suit here today accusing the Bullock County registrars of discriminating against prospective Negro voters.

The suit named the State of Alabama and Bullock Registrars Julius P. Thompkins, John W. Guthrie Jr. and Keitte S. Yon as defendants.

The complaint, filed in U.S. District Court, charges discrimination through the board's practice of requiring prospective voters to produce a registered voter to testify to the applicant's fitness as a qualified citizen.

Atty. Gen. William P. Rogers, who leaves office at midnight, noted that of 5000 prospective Negro voters in the county, only five were registered to vote. However, of 2500 white citizens, some 2200 are registered voters.

"At no time during the past 10 years has the number of Negro citizens registered to vote in Bullock County exceeded six," the suit said.

The Federal government said in addition to requiring a prospective voter to be supported by a registered voter, the board would not permit any one voter to give his support to more than two prospective voters per year.

"Negro citizens of the county qualified by law to vote has been and are being prevented and discouraged from registering to vote," the suit charged.

The complaint also asserts that historically white citizens of Bullock County will more readily assist other white persons to register than they will Negroes.

The Justice Department has filed a suit in federal court charging systematic discrimination against would-be Negro voters and seeking an injunction to stop it.

U.S. Dist. Judge Frank M. Johnson Jr. was asked to compel the state of Alabama and the three-man board of registrars to register all eligible voter applicants regardless of race or color.

The voting officials named co-defendants with the state are Julius P. Thompkins of Fitzpatrick, board chairman, and members John W. Guthrie Jr. and Keitte S. Yon, both of Union Springs.

IN ITS COMPLAINT the government contends the board discriminates against Negroes by requiring voting applications to be supported by two previously registered voters in the east Alabama county.

And, says the complaint, the registrars permit a voter to act as a supporting witness for no more than two applicants a year, thus the Negroes have difficulty getting anyone to help them register.

The Justice Department said Alabama law does not require such statements vouching for applicants' character, morals, education, habits and fitness to vote.

While Bullock County has only five Negro voters among some 5,000 of voting age, the suit said, white voters number about 2,200 out of 2,500 eligible.

Bullock was one of six Alabama counties where Negro voting complaints were investigated by the U.S. Civil Rights Commission late in 1958.

U.S. Hits Again At Alabama Voting Rights

MONTGOMERY, Ala., Jan. 21. (AP) — Federal efforts to safeguard Negro voting rights have spread into rural Bullock County, where only five out of about 5,000 Negro adults are registered voters.

Bullock County (Ala.) Officials Accused Of Voter Discrimination

MONTGOMERY, Ala. — (UPI)— The federal government filed a civil rights case in U. S. Middle District Court Friday accusing Bullock County officials of discriminating against prospective Negro voters.

U. S. Atty. Gen. William P. Rogers, who left office at midnight, said the complaint attacked the system of "vouching" for voters used widely in the South.

The suit names the state of Alabama and Bullock County registrars Julius P. Thompkins, John W. Guthrie Jr. and Keitte S. Yon.

The complain charges discrimination through the board's practice of requiring applications for voting registration to be supported by two persons previously registered as voters.

The Justice Department said there are 2,200 white voters registered in Bullock County at the present time, but only five Negores.

There are approximately 7,500 persons of voting age in the county including 5,000 Negroes and 2,500 white.

Besides requiring the voucher of two registered voters, the government alleges that the board of registrars also restricts Negro voting by limiting a registered voter to no more than two vouchers a year.

The complaint also lists the allegation that white citizens of Bullock County are historically more willing to assist other whites to register than Negroes.

Negro complaints about discrimination came to light when the U. S. Civil Rights Commission held its first hearing here in December, 1958.

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Board Chairman Julius P. Thompkins of nearby Fitzpatrick and member Keitte S. Yon of Union Springs both said they have nothing to hide and will continue conducting voter registration as usual.

THE OTHER VOTER registrar in the East Alabama county, John W. Guthrie Jr. of Union Springs, declined to say whether he will keep his post.

Even if Guthrie quit, the Bullock Board of Registrars could still operate with two members. That is the minimum number required by state law for a functioning board.

Thompkins summed it up this way:

"I am not going to resign and I am not thinking about resigning. We've been operating under state law. If they want us to operate under their (federal) laws, let them send us some regulations."

But the Justice Department contends the board is not operating under state or federal law in requiring voter applications to be supported by two registered voters in the county.

Filed in capital

THE FEDERAL complaint, filed in U. S. District Court at Montgomery Friday, claims this board policy has limited the number of Negro voters to five, though the county has about 5000 Negro adults.

Co-defendants in the federal suit, seeking an injunction to prohibit anti-Negro discrimination in Bullock County, are the state and the three voting officials.

Yon denied the board has discriminated against Negroes, and said the board's policy of requiring supporting witnesses applies to white and Negro applicants alike.

"We have offered to open our records to the Justice Department," he said, "but no agents have come here to look at them. They would prove there has been no discrimination."

The board member said that since he and his two colleagues took over last March, only one Negro has applied for registration. "We're not supposed to go out and bring them into the office," he said.

Bullock voter board to stay in operation

UNION SPRINGS, Ala., Jan. 21 —(AP)—Bullock County's voter registration machinery will keep functioning despite a federal suit charging the Board of Registrars with discriminating against Negroes.

Although voting officials in adjoining Macon County quit last week in the face of a similar Justice Department complaint, two of Bullock's three registrars said Saturday they intend to stay on the job.

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Two Bullock Registrars To Keep Posts

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Suit Charges Vote Denial In Bullock

By ARTHUR OSGOODE

The Justice Dept. Friday asked U.S. District Judge Frank M. Johnson Jr. to stop Bullock County voter registrars from denying Negroes the right to vote.

The suit charged that the registrars have pursued a policy that has never allowed more than six Negroes to be eligible to vote at any time during the past 10 years.

It says that voter applicants in the county must bring along a registered voter to support their statements as to character, morals, and other qualities bearing on their fitness to vote.

According to the complaint, this requirement effectively prevents Negroes from being registered in more than token numbers.

It said that there are approximately 5,000 Negroes of voting age in Bullock County, of whom only five are now registered voters, and 2,500 eligible whites, of whom 2,200 are registered.

Under provisions of the 1960 Civil Rights Act, the government attorneys named the state of Alabama as a defendant.

SUPPORTING WITNESS

Citing the requirement of a supporting witness for applicants, the suit also alleged that a qualified voter may act as a supporting witness for only two applicants a year.

The policy of the registrars, it was charged "is to make registration to vote in Bullock County dependent upon the assistance of registered white voters . . ."

An injunction was sought that would forbid the registrars from requiring registered voters to support statements of voter applicants.

Also asked was that the board be enjoined from "any acts or practices" that resulted in a distinction between Negro and white voters.

The registrars cited are Julius Paschal Thompkins of Fitzpatrick, the chairman, and John Wesley Guthrie Jr., and Keitte Sanders Yon, both of Union Springs.

Bullock was among six Alabama counties investigated by the U.S. Civil Rights Commission in 1958.

Justice Department Seeks Negro Voting Rights

The Courier

U. S. Aims Blow at Alabama Vote Bias

Pittsburgh, Pa.

EDITOR'S NOTE: Bullock County would get the biggest portion of Macon County under the proposed Alabama plan to abolish Macon County to keep Tuskegee Negroes from voting.

Sat. 4-1-61

MONTGOMERY, Ala.—Out of the past the ghost of the late J. Ernest Wilkins will rise this week to walk in a courtroom in the Federal building here, when the Justice Department goes to trial Wednesday with its ace Atty. John Doar—to seek full voting rights for Negroes in nearby Bullock County.

It was in December, 1958, right in this same Federal Building that the late Mr. Wilkins, as a member of the U. S. Civil Rights Commission, did the most relentless and scrutinizing questioning of any member of the commission at a hearing here, and brought out into the light the glaring inequities of voting rights existing in this neck of Alabama.

He won the hearts and admiration of the Negro newsmen covering that hearing, and made Alabama governor, John Patterson, look silly when the governor tried to coach a former Tuskegee registrar who had resigned to stymie Negro registration there.

MR. WILKINS DIED a few months later, apparently of a broken heart, for he had been forced to resign the sub-Cabinet post he had held as Assistant Secretary of Labor, to make room for the son of Henry Cabot Lodge.

Later, he was named to the Civil Rights Commission. But it was his skillful questioning of Negro witnesses that paved the way for the present suit of the Justice Department, for he brought out from them, facts they might not have given, voluntarily.

Now, two years later, with Mr. Wilkins in his grave, the Department of Justice moves to strike another sledge-hammer blow at Alabama's injustices to her Negro citizens at the ballot box, thanks, chiefly, to J. Ernest Wilkins.

■

IT WAS HIS questioning that brought at that Bullock County then, which had only four Negroes registered out of 3,400 eligibles, while 2,500 whites, out of 4,000 over 21, were registered.

Also, he brought out why this was and, thus the Federal suit.

Registrars in Bulock County require prospective voters to have two witnesses to vouch for them, but no witness can vouch for more than two applicants per year. Whites won't vouch for Negroes, so the possibilities are reduced, practically, to nothing.

Testifying at the December, 1958, hearing, one Negro from Bullock County, Aaron Sellers, 44, owner of 240 acres, told of years of fruitless efforts to get registered, and cited how, with his witnesses limited in 1957, it would be 1961 before he would be able to aply again (under the Bullock rules).

Sellers said board members told him one registered voter could vouch for three persons every four years, which made him have to wait until 1961 to get a vouching witness.

Voter-Registration Challenge

Birmingham World

There have been numerous "voter registration campaigns" in Jefferson County. In fact, it seems that almost every organization has one. Nearly every "leader" talks about voting and the importance of the ballot. Still few are actually applying for the ballot.

Birmingham, Ala.

Voter-registration campaigns should not become merely the means of one identifying himself as a civic leader. Nor should it be used as a device for one to escape identification with the rougher struggle for civil rights. Campaigns for voter-registration should be just that.

Wed. 4-5-61

Let there be daily reports for publication on the number of applicants seeking the ballot. Let us know those who are successful in getting their names on the registration list and those who are refused. This is the test this time. Too long have our voter-registration "leaders" failed to account to us on their productivity.

If the non-voters cannot be stimulated to try to register, let us know. If the non-voters try and are rejected, let us know. If the type of voter-registration campaign planned is ineffective or the leadership defective, let us know. Certainly the voter-registration campaigns must not be allowed to drag along without our knowing what they do.

We believe that the best results can be achieved by basing the voter-registration campaign in the community. Community headquarters could be set up. A community volunteer telephone committee could be put to work. Car pool service could be installed to transport would be voters to the Courthouse. A reporting service could be deviced so that returning applicants could make their reports. Then a voter-registration workshop on heels could be set up. By this we mean that a team of voter-registration service specialists could conduct from home-to-home clinics for prospective voters.

There are only three days a week — Monday, Tuesday, and Wednesday — when prospective voters may register. Hence a community-based campaign could take this into account and see to it that there would be a waiting line of applicants each day the registration officials are on duty to register voters. Instead of so many night meetings there could be sunrise voter-registration service. We need early-morning leadership for voter-registration. Even if it mean pulling the sleepers from the bed and pleading with them to get on the ball for the ballot.

Too long, too long have we relied upon methods which will not do and leaders who are through. Too long, too long have we put too much stress on the night meetings instead of the sun-up leadership for new voters. Too long have we depended upon the downtown-office type of voter-registration direction which has not been fully productive. It is time, good time, high time that we try something better, something else, and keep trying until we cut down immensely the size of the non-voters list. The ballot is the rip-cord of political action.

After vote ruling—

Court to watch Bullock County

The Birmingham News

BY TRUDY CARGILE, News staff writer

MONTGOMERY, Ala., March 31. — Collapse of voter voucher clause left Bullock County's registration system teetering yesterday, but a district judge promised the structure would not topple if Bullock registrars keep their word.

3-31-61

Judge Frank M. Johnson Jr. kicked out one of the supporting blocks when he ruled that persons may vouch for as many would-be voters as they please. Bullock machinery had restricted the number to two.

This ruling, end of chapter one in the federal government's scrutiny of alleged voter discrimination in the Black Belt county, was far more liberal than the sweeping revisions ordered recently in adjoining Macon.

The ruling apparently was tempered by the Bullock registrars' expressed willingness to register all qualified Negro voters.



JUDGE JOHNSON

TWO MEMBERS of the board testified they had agreed before their acceptance to treat every one equally despite race, creed or religion. The third member, in a voluntary statement, concurred.

But to maintain surveillance over the Bullock situation, Johnson ordered the registrars to report names and addresses of each Negro applicant; the date of his application; information as to whether the applicant had been accepted or rejected, and the name and race of the person vouching for him.

Chairman of the board Julius P. Thompkins and board member K. S. Yon—both called as witnesses by the state—each denied the existence of discriminating practices.

Defense attorneys also called five white Bullock citizens who testified they would vouch for Negroes they felt qualified to become voters.

But in testifying, Union Springs Mayor Frank Anderson Jr., County Farm Bureau President Walter Ellis, Cattlemen J. T. Knowles and Tom Lane and Businessman J. B. Powell all said their help had never been sought.

JOHNSON QUESTIONED the first three as to how many they felt were qualified to vote.

Anderson said he could see at least two in the courtroom and knew perhaps a "couple of dozen" more.

Ellis said he could think of "probably a dozen."

Johnson asked Knowles if he believed the same qualifications should be applied to both whites and Negroes. Knowles replied, "absolutely."

Both federal and state attorneys were given until June 1 to file briefs in the case.

Many Register In Alabama Counties

Atlanta Daily World

Atlanta, Ga.

The number of Negro quafified voters in Macon and Bullock Counties in Alabama took a sharp rise Monday, as many began to take advantage of a Federal Court order that all qualified Negroes be registered within a 120 day deadline.

In Bullock County, which is situated next to Tuskegee's Macon County, 41 Negroes applied, but only 15 completed registration on the first day. Bullock County previously had only five Negro registered voters. Registrars K. S. Yon Jr., said that more would be qualified as processing moved on.

In Tuskegee, the seat of Macon County, registration officals are under court order to begin processing some 400 Negro voter applications. A Tuskegee Civic Association official said that so far 70 Negroes had applied, but only 41 were given numbers on the waiting list. 33 of this number had completed their registration forms.

U. S. District Judge Frank M. Johnson had also ordered the immediate registration of another 64 Negroes, but this number had to be reduced to 50 because of deaths and residence in other areas.

34e 1961

ALABAMA

SUMTER COUNTY

Gallion Advises Sumter Officials To Release Files

B'ham Post-Herald
B'ham, Ala.
Tues. 1-24-61
p1

BY JERRY NORRIS

Alabama Atty. Gen. MacDonald Gallion said yesterday he had advised the Sumter County Board of Registrars to allow Federal inspection of the county's voter registration records.

"We have no alternative but to obey the mandate of the Federal Court, distasteful though it may be," Gallion said.

The action came after U. S. Dist. Judge H. H. Grooms overturned a state court injunction that had closed the records, and ordered them re-opened for inspection by Federal agents seeking possible evidence of racial discrimination in the qualification of voters.

Judge Grooms' order restrains Sumter County officials from "seeking to enforce . . . the order entered by defendant Emmett F. Hildreth," the circuit judge who last June barred examination of records.

Gallion Issues Statement

Gallion issued this statement following the court action:

"Today in Federal District Court, a Federal court order was handed down which in effect required Judge Emmett Hildreth, circuit judge, and the Board of Registrars of Sumter County and myself as attorney general to produce the voter registration records in Sumter County and make them available within 24 hours.

"I realize, of course, that the fault lies not so much with the Federal District Court, but with the U. S. Supreme Court, whose orders and mandates the district judges must follow.

"The sovereignty of the state is threatened by high-handed Washington bureaucracy, it seems, on all fronts. It appears that we are fast moving into a Federal judicial dictatorship which arrogantly disregards state authority, and the rulings of our own state courts.

"I and other state officials are continuously harassed by Federal agents acting under orders from Washington. As a matter of fact, I was served with a Federal summons at my home on late Christmas Eve, as an example."

Complaint Served

Gallion said he had been served late last Friday "at the 11th hour before a change of administration in Washington" with a complaint regarding voter registration in Bullock County.

"Obviously national politics is being played by such action," he said. "Republicans were trying to put the Democrats on the spot politically in civil rights matters, all to the harassment of state officials."

Gallion was denied a delay in the inspection deadline for an appeal to a higher court. Judge Grooms said no, the deadline would stand at noon today.

Following the ruling, Gallion asked for court permission to be present when Federal agents go over the records. Grooms turned him down.

The Sumter County case is one of five in the state involving recent Federal investigation of possible voting rights violations. The Justice Dept. asked for, and got, permission to inspect the records last June.

But after two hours of work, Circuit Judge Emmett F. Hildreth restrained anyone except Gallion and county officials from examining the records.

The county, located on the Mississippi state line, has some 3500 registered voters, about 300 of them Negroes, according to Registrar E. C. Godfrey.

In Alabama—

The B'ham News
B'ham, Ala
Sat. 1-21-61
p4

JFK inherits hot potato in voting rights

MONTGOMERY, Ala., Jan. 21—(AP)—President John F. Kennedy inherits a complicated civil rights dispute in Alabama.

And with it goes one of the final actions of the Eisenhower administration and his attorney general, William P. Rogers, taken on their last day in office.

The Justice Dept. Friday asked U. S. District Court in Montgomery to enjoin rural Bullock County from "depriving Negroes of their voting rights."

Bullock was one of six Alabama counties where Negro voter registration was investigated by the U. S. Civil Rights Commission late in 1958.

The problem now is that of Atty. Gen. Robert Kennedy, the president's brother.

U. S. DISTRICT Judge Frank M. Johnson Jr. was asked Friday to compel Alabama and the three-man Board of Registrars to register all eligible voter applicants in Bullock regardless of race or color.

The voting officials named defendants along with the state are Julius P. Thompkins of Fitzpatrick, board chairman, and members John W. Guthrie Jr. and Keitte S. Yon, both of Union Springs.

In its complaint, the government contends the board discriminates against Negroes by requiring voting applications to be supported by two previously registered voters in the East Alabama county.

AND, SAYS THE COMPLAINT, the registrars permit a voter to act as a supporting witness for no more than two applicants a year, thereby making it difficult for Negroes to get anyone to help them register.

While Bullock County has only five Negro voters among some 5000 of voting age, the suit said, white voters number about 2200 out of 2500 eligible.

Thompkins said Friday night he doesn't intend to resign, but will see his job as voter registrar to the finish.

"I am not going to resign," said Thompkins. "I am not thinking about resigning. We've been operating under state law. If they want us to operate under their (federal) laws, let them send us some regulations."

Race not designated, officials say—

U.S. sleuths photographing 'integrated' Sumter records

BY DAVE LANGFORD
News staff writer

LIVINGSTON, Ala., Jan. 25—Federal agents methodically photographed Sumter County voter registration records today as local officials sought an answer to a question:

Who filed a complaint?

BUT JUSTICE DEPARTMENT sleuths apparently don't figure the question is pertinent.



LANGFORD

They moved into this West Alabama County yesterday on the heels of a court order from U. S. Dist. Judge H. H. Grooms at Birmingham.

Legal stumbling blocks thrown up by the state's attorney general's office had been cleared.

"I can't say a complaint was filed," said Gerald P. Choppin, attorney for the Civil Rights Division of the Justice Department, "but I'll put it this way."

"It is probable the judge would not have ruled in our favor if it was not necessary for a complaint to have been filed."

Choppin and his four-man team of Birmingham FBI agents were greeeted passively as they arrived here yesterday with elaborate copy cameras.

EARL C. GODFREY, chairman, Sumter Board of Registrars, was on hand.

"I don't know why they want to pick on us," Godfrey said. "We probably have more Negroes registered to vote according to our population than any other county in Alabama."

Sumter County has a population of about 20,000 with Negroes outnumbering whites.

Godfrey said between 250 and 300 Negroes are registered to vote in Sumter.

"But not all of that number are qualified, since they haven't paid their poll tax," Godfrey added. Godfrey recalls only one Negro being stricken from the qualified voter rolls in the three years he has been board chairman.

"A Negro preacher was accused of stealing a pocketbook," Godfrey said. "And the law says that if you are convicted of a felony you cannot vote."

GODFREY OFFERED the federal agents access to a file of 70 to 80 rejected applications which he said covered a period of about 15 years.

The FBI men set up their elaborate equipment in the registrar's office and began the tedious task of photographing each application.

Godfrey told the agents he had "no way of telling" Negro applications from those of whites.

Working with Choppin are FBI agents M. L. Alexander, James L. Pugh, A. M. Smith and Ernest White, all of Birmingham.

Mrs. Margaret Larkin, clerk to the Sumter probate judge, was the only official present when the agents arrived.

"I showed them where everything was, just like I was told to do," Mrs. Larkin said."

THE FEDERAL AGENTS moved swiftly after Judge Grooms ruled Monday that the records be made available.

State Atty. Gen. MacDonald Gallion, who had tried to delay the action, advised the registrar to make the records available, but Gallion was refused permission to be present.

JUDGE GROOMS' ruling overturned an injunction from Circuit Court Judge Emmett F. Hildreth last Summer which barred the Sumter voter files from all but Gallion, the Board of Registrars and Probate Judge W. E. Dearman.

The Justice Department had begun checking the voter records here last Summer when Judge Hildreth handed down the ruling. It was deemed a test of the authority of Federal over state courts.

Registration Record Open To Agents

BIRMINGHAM (AP) — U.S. District Judge H. H. Grooms Monday ordered that Sumter County voter registration records must be made available for inspections by federal agents within 24 hours.

He issued the order following a brief hearing on a Justice Department suit seeking access to the records for investigation of possible discrimination against Negro applicants.

He also overturned a state court injunction closing the Sumter County voter registration records to all but Alabama Attorney General MacDonald Gallion, members of the Sumter board of registrars, and Probate Judge W. E. Dearmen.

Thus the judge granted both requests of the Justice Department.

The federal government filed suit in December — six months after a state court injunction abruptly halted a review of the files by federal agents.

In Sumter County

U. S. Tries Today To Open Records

The U. S. Justice Dept. will seek today to obtain Federal Court permission to reopen Sumter County voter registration records.

Atty. Gerald P. Choppin of the Justice Dept.'s Civil Rights Division will ask U. S. Dist. Judge H. H. Grooms to dissolve the state court injunction now in effect.

The present injunction, issued last June by Circuit Judge Emmett F. Hildreth, closed the records to all except State Atty. Gen. MacDonald Gallion and Sumter County officials.

In a similar case in Montgomery recently, Federal Judge Frank M. Johnson Jr. overturned a circuit court injunction closing the Montgomery County records, and ordered them opened for Federal inspection.

Hearing Set On Sumter's Voter Files

BIRMINGHAM (AP) —A hearing starts in U.S. District Court here Monday on a two-pronged effort by the Justice Department to open voter registration records of Sumter County to federal inspection. In a suit filed last month the department asked the court to 1) dissolve a circuit court injunction barring the federal inspection and 2) order the records open to federal agents.

The injunction, issued last summer by Circuit Judge Emmett F. Hildreth, slammed the doors in the faces of federal agents. They were checking the records at the courthouse in Livingston when notified of it.

The order barred all but Alabama Atty. Gen. MacDonald Gallion, members of the Sumter County Board of Registrars and Probate Judge W. E. Dearmen from inspecting the records.

Gallion and Sumter County officials replied Jan. 5 that Congress has no right to interfere with state voter registration laws "at the mere whim of an appointed attorney general."

"The Civil Rights Act attempts to constitute judges of federal courts as registrars of electors, regardless of (the electors') qualifications," the reply said.

The U.S. 5th Circuit Court of Appeals last week heard and took under advisement a suit by Alabama challenging the constitutionality of the 1960 Civil Rights Act.

The state answer to the suit here asks that if the action is not dismissed, it should be held in abeyance pending final determination of the challenge pending before the appellate court.

Registrars Stay On Job In Alabama

UNION SPRINGS, Ala. (AP) — Bullock County's voter registration machinery will keep on functioning despite a federal suit charging the Board of Registrars with discriminating against Negroes.

Although voting officials in adjoining Macon County quit a week ago in the face of a similar Justice Department complaint, two of Bullock's three registrars said Saturday they intend to stay on the job.

Board Chairman Julius P. Thompkins of nearby Fitzpatrick and member Keitte S. Yon of Union Springs both said they have nothing to hide and will continue conducting voter registration as usual.

The other voter registrar in the east Alabama county, John W. Guthrie Jr. of Union Springs, declined to say whether he will keep his post or resign.

Even if Guthrie quit, the Bullock Board of Registrars could still operate with two members. That is the minimum number required by state law for a functioning board.

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Even if Guthrie quit, the Bullock Board of Registrars could still operate with two members. That is the minimum number required by state law for a functioning board.

Thompkins summed it up this way:

"I am not going to resign and I am not thinking about resigning. We've been operating under state law. If they want us to operate under their (federal) laws, let them send us some regulations."

But the Justice Department contends the board is not operating under state or federal law in requiring voter applications to be supported by two registered voters in the county.

Filed in capital

THE FEDERAL complaint, filed in U. S. District Court at Montgomery Friday, claims this board policy has limited the number of Negro voters to five, though the county has about 5000 Negro adults.

Co-defendants in the federal suit, seeking an injunction to prohibit anti-Negro discrimination in Bullock County, are the state and the three voting officials.

Yon denied the board has discriminated against Negroes, and said the board's policy of requiring supporting witnesses applies to white and Negro applicants alike.

They would prove there has been no discrimination."

"We have offered to open our records to the Justice Department," he said, "but no agents have come here to look at them. They would prove there has been no discrimination."

The board member said that since he and his two colleagues took over last March, only one Negro has applied for registration. "We're not supposed to go out and bring them into the office," he said, "but no agents since he and his two colleagues said.

Agents Begin Sumter Vote Files Probe

LIVINGSTON (AP) — Federal agents, backed by a federal court order, Tuesday began inspecting the voter registration records of Sumter County at this small west Alabama town.

The object of the investigation is to turn up any evidence of racial discrimination in the registration of voters.

"It will be a tedious job, and a long one! I think," said Gerald D. Choppin of the Justice Department.

E. C. Godfrey, chairman of the Board of Registrars, said the agents refused to say whether the Justice Department had received any complaints of irregularities in Sumter County voter registration.

"We probably have more Negroes registered to vote here than in any other county in Alabama," he said.

ONLY ONE REMOVED

He said only one Negro had been removed from the voting rolls in three years, and that resulted from a felony conviction.

"The law says if you are convicted of a felony you can't vote," Godfrey said.

In going to work in the records room of the probate office, Choppin and the four FBI agents resumed a job that started seven months ago.

At that time the Justice Department asked for—and got—permission to inspect the records.

But after only about two hours of working over the records, a state court injunction stopped them.

The Justice Department then filed suit in December, citing the 1960 Civil Rights Act. U.S. District Judge H. H. Grooms of Birmingham, acting on the suit, threw out the state court injunction Monday and ordered the records opened to federal agents within 24 hours.

It was almost 24 hours later, to the minute, when the agents arrived at the red brick courthouse in the middle of town.

Mrs. Margaret Larkin, probate court clerk, showed Choppin and the FBI agents, M. L. Alexander, A. M. Smith, Ernest White and James L. Pugh, to the records.

The agents brought in heavy photographic equipment to copy the records.

The records were tied up last June when Circuit Judge Emmett E. Hildreth issued an injunction closing the records to all but Alabama Atty. Gen. MacDonald Gallion, the three members of the Sumter Board of Registrars, and Probate Judge W. E. Dearmen.

When Grooms overturned the injunction and ordered the records opened to federal inspection, Gallion asked if he could get a delay for an appeal. Grooms refused.

Gallion also asked if he could be present during the inspection. Grooms refused this, also.

Sumter County, located in rural west Alabama on the Mississippi line, is one of five Alabama counties involved in recent federal civil rights action.

The Justice Department said last June that Sumter had 8,700 Negroes of voting age and that 175 were registered voters. The Board of Registrars, denying any racial discrimination from the first Justice Department request last year, said the county has about 3,500 registered voters, about 300 of them Negroes.

Government Attorneys File Voter Suit Against Alabama

MONTGOMERY, Ala. — Government attorneys this week filed suit against the Bullock County (Ala.) registrars and the State of Alabama for allegedly discriminating against prospective Negro voters.

A suit, filed in the United States District Court at Montgomery, named Bullock County registrars Julius P. Thompkins, John W. Guthrie, Jr., and Keitte S. Yon.

U. S. Attorney General William P. Rogers initiated the complaint before he left office last Friday at midnight. Robert Kennedy, the new Attorney General in the Kennedy administration, is expected to follow through with the suit.

Rogers said that the complaint attacks the system of vouching for voters. He said the practice is widely used in the South.

The suit charges prospective voters are required to be supported by two persons previously registered.

Rogers' office said that 2,200 white voters were registered in Bullock County. The Justice Department added that only five Negroes were registered in the county.

The state of Alabama was also the target of a NAACP suit before the U. S. Fifth Circuit Court of Appeals at New Orleans. The NAACP was banned in the state in 1956 and all tts activities enjoined on charges the organizations failed to register as a "foreign corporation".

Federal court rules—

Sumter County voter lists ordered open for checking

BY JO ELLEN O'HARA
News staff writer

U. S. District Judge H. H. Grooms today ordered Sumter County officials to open their voter registration records for inspection by federal authorities.

Judge Grooms also dissolved an injunction by Sumter County Circuit Judge Emmett F. Hildreth prohibiting inspection of records by all except State Atty. Gen. MacDonald Gallion, Sumter County Board of Registrars and Sumter Probate Judge W. E. Dearman.

Judge Grooms ordered Sumter officials to make records available at the Sumter Courthouse within 24 hours from the time he issued the order.

Gallion asked the court for permission to be present when the records were examined, and was denied the request.

GORDON MADISON of the state attorney general's office represented the defendants. He had asked that the court retain the status quo until two similar pending cases were settled in U. S. District Court of Appeals.

U. S. Justice Department's Civil Rights division contended that the state injunction prevented the United States from doing its duty as granted by law in the 1960 Civil Rights Act.

The government wants to determine if discrimination is practiced against eligible Negroes seeking to vote.

The present injunction, issued last June by Sumter County Circuit Judge Emmett F. Hildreth, closed the records to all except State Atty. Gen. MacDonald Gallion and Sumter County officials.

U.S. Sues In Ala. Vote Test

MONTGOMERY, Ala. — (UPI) — The Justice department filed a new civil rights suit in Alabama just before William P. Rogers went out of office as U. S. Attorney General.

The suit, filed in federal district court here, accused the Bullock county board of registrars of discriminating against prospective Negro voters by requiring them to be sponsored by someone already registered.

The suit said only five of the 5,000 eligible Negroes in the county are registered to vote; each registered voter may sponsor only two prospective voters per year, and white voters are reluctant to assist Negroes in registering.

ONLY ONE

"Yes, we require them to bring a sponsor along, but that appplies to whites, too," board member K. S. Yon said when asked about the charges. "We've been on the board only since last March, and only one Negro has come by to register. We're not supposed to go out and get them."

It also was reported here that the University of Alabama's action last Saturday cutting off enrollments for the winter semester stopped an effort by six Negroes to enroll at the university. University President Frank A. Rose said new applications were stopped because of "overcrowded conditions."

The University of Alabama has been under federal court order to desegregate its classes since 1956 when Autherine Lucy entered the school but was forced to leave because of riots. She later was permanently expelled.

Negro Principal And Wife Named In Vote Charges

DE VALLS BLUFF, Ark., March 29. — (AP) — A Negro school principal and his wife were served Wednesday with warrants charging them with illegal purchase of poll tax receipts.

Sheriff E. O. Hamilton said James R. McBeth and his wife, Gladys, teach at Biscoe High School, Prairie County's only Negro high school. He said McBeth is the principal.

They were indicted Tuesday by a Prairie County Grand Jury which also indicted eight other persons. The other eight were served with warrants Tuesday and released on bond.

The grand jury, for the county's southern district, investigated three elections, the Aug. 9 Democratic primary, November general election and Dec. 6 school election.

The other eight indictments charged various irregularities in connection with those elections.

The charges against the McBeths do not refer specifically to any election.

The others indicted Tuesday are all residents of Hazen. They are weekly newspaper publisher William F. Woods, Conley Gray, Rudy Van Houten, R. C. Hartlieb, Eagle Boyd Jr., Warren Brown, Irvin Sims and Philip Smith.

Nation Watches Campaign

The Pittsburgh Courier 1/4

California Negroes Push for Rezoning

Pittsburgh Pa. Sat. 4-22-61

(Courier Press Service)

LOS ANGELES—A mammoth drive for reapportionment of State Assembly and Congressional Districts is underway here among California's Negro leadership.

It is a campaign which will be watched with interest all over the nation by the vast blocs of Negro voters in other huge urban areas.

Sparking the campaign to "demand of the State Legislature and the Governor fair reapportionment of congressional and assembly districts that will enable Negro representation in the Legislature and Congress," is the California Negro Leadership Conference and the Committee for Representative Government.

These groups marshalled their forces in Sacramento on Sunday, in an effort to generate statewide support behind the "Two-Four Plan" which would give Negro voters in Los Angeles, two Negro Congressmen and four Negro assemblymen.

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THE TWO-FOUR PLAN, drawn up by the CRG after a study of the Negro population of this city, involves districts which contain the half million Negro residents of Los Angeles.

• The CRG was organized last December after it became apparent that California will receive eight new Congressional Districts as a result of the 1960 census.

The campaign has the wholehearted support of the Negro press in the state. In fact, the CRG has been sponsored by the Los Angeles Sentinel.

IN A STATEMENT to The Courier, Sentinel Editor Wendell Green put it this way, "The drive for representation in government has unified our community as no other issue has since the drive for jobs in the early thirties.

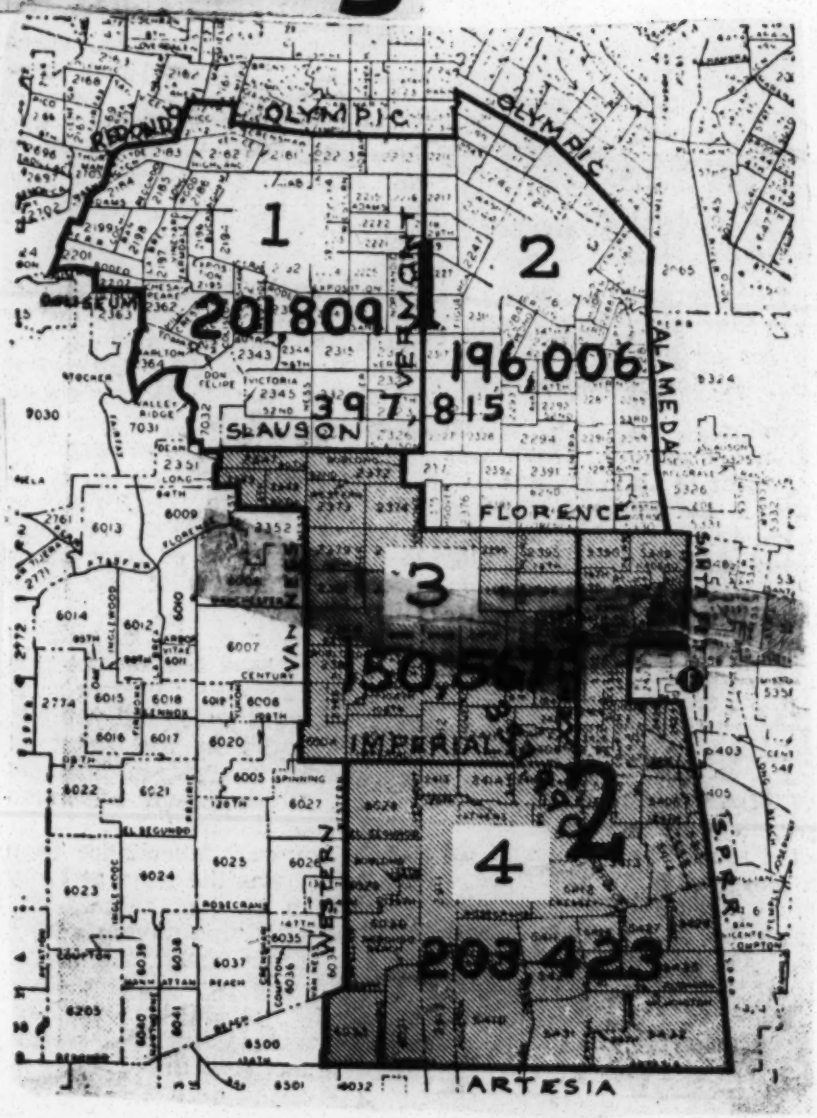
• "We have the complete support of our community cutting across all social and economic lines.

• "Ministerial organizations, fraternities, sororities and social clubs have joined with professional socities, labor unions, civic and political clubs in the demand for Negro representation in government."

The CRG has already assigned two lobbyists to Sacramento to work on the Two and Four Plan. One is a Republican. The other a Democrat.

• Funds for the political action project have been raised from individual and organizational sources.

Supporters of the plan say that they have the wholehearted support of California's one million Negro citizens.



'We Mean Business'

L. A Girding For 250,000 Votes Drive

The Pittsburgh Courier
Pittsburgh, Pa. Sat. 4-29-61
P.9 37 C

LOS ANGELES, Calif.—"We mean business!"

With these words Assemblyman Augustus F. Hawkins of California's 62nd District revealed plans to register 250,000 new voters in Los Angeles County.

• In a statement to The Courier, Representative Hawkins revealed plans to "at least double the registration in our community."

He said that the campaign is closely tied into the overall fight for civil rights, economic security and social betterment. "A truly vigorous and successful registration drive will show that we meau business," he continued.

■

MR. HAWKINS explained that legislation and governmental action are the only solutions to "many situations and problems." He cited the need for more people in the Legislature and more people in various executive agencies.

He explained, "To do this we need votes. The Community Groups Committee, under my chairmanship, has enthusiastically agreed to undertake this big job. Plans are being made to secure at least one active voter in every voting precinct in Los Angeles to serve as captain for the drive."

The assembly revealed that campaign headquarters will be established in his office at 4413 South Broadway, Los Angeles 37.

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MR. HAWKINS pointed out that he is already backing legislation which would give Los Angeles County one or more Senators. This bill is now before the assembly, having passed the State Senate.

• Actually, plans are afoot to create five or six senatorial districts in the Los Angeles area.

Mr. Hawkins pointed out, "By working simultaneously on developing more congressional state senatorial and assembly districts, and on registering more voters we shall be in a position to take advantage of the new opportunities as they appear."

D.C. Suffrage Victory Due On Monday

The Washington Post
Washington, D.C.

Kansas and Ohio Expected to Become 37th, 38th to Act

Fri. 3-24-61

By Morton Mintz
Staff Reporter

The District's presidential voting proposal could become the 23rd Amendment to the Constitution at about 8 p. m. Monday in Columbus, O.

The situation—a cliff-hanger for weeks—shaped up this way yesterday after a series of rapid developments:

Leaders of the Ohio Senate said they wanted their state to have the honor of providing the crucial 38th ratification. Thirty-six states have approved to date.

Majority Leader C. Stanley Mechem (R-Nelsonville) and Minority Leader Frank W. King (D-Toledo) agreed on the following procedure before the Senate recessed for the weekend yesterday:

• Following th Senate session that begins at 4:30 p. m. Monday the Senate State Government Committee will report out a House-passed ratification resolution.

• If a 37th state has ratified, the Senate Rules Committee will bring the measure to the Senate floor for action after a recess scheduled to end at 8 p. m. No significant opposition is in sight.

• If a 37th state has not ratified at this point, the resolution will be held over.

Late yesterday, Kansas prepared to become the 37th state. Rep. Jess Taylor (R-Tribune), chairman of the House Committee, said the Committee—days ahead of previous plans—had cleared the ratification resolution that had previously passed the Senate.

The measure is now on the House calendar. With no opposition evident, it is possible that the measure will clear the House today or Saturday (if a Saturday session is held). But Monday is more likely.

New Hampshire is also preparing for ratification. After a hearing yesterday the House Judiciary Committee scheduled a vote Tuesday on a Senate-passed resolution.

250,000 votes predicted in 1964 Presidential election here. Page B1.

D. C. Ballot Ratified by 33d State

The Washington Post
Washington, D.C.

Fri. 3-17-61

Only Five More Approvals Needed For Amendment

By Morton Mintz
Staff Reporter

The District's presidential voting proposal picked up another ratification yesterday—a unanimous one from Iowa—and needs only five more.

Iowa became the 33d state to ratify the Constitutional Amendment. Its House of Representatives adopted 99 to 0 a ratification resolution that had passed the Senate 49 to 0 on Wednesday.

The proposal could become the 23rd Amendment to the Constitution by the end of next week, setting a 157-year speed record for approval by three-fourths of the states.

Although the situation is highly fluid, it is possible that the amendment will win final approval next week from the Missouri Senate, the Ohio Senate, the Kansas House, the Oklahoma House and both houses of the Rhode Island Legislature.

Amendment Record

The Constitutional amendment that won the swiftest approval was the 12th (setting up the method for choosing the President and Vice President), which became law in 1804 within less than 230 days of its proposal by Congress.

Running second was the 21st, which repealed prohibition in 1933. Its time: 288 days.

The District proposal left Congress last June 16. The elapsed time: 273 days through yesterday.

In the Ohio Senate, where Republican opposition had been building up to a House-passed rescolution, the path to ratification was apparently cleared yesterday.

Republican Senators had been reported concerned that District Negroes would be machine-voted for the Democrats.

District GOP Chairman Carl L. Shipley wired Senate President Pro Tem Stanley Mechem (R) that he wanted to confer with him.

He explained in his telegram that Congress—not a Democratic machine—will have the responsibility for enacting the District's election laws once the Amendment becomes law.

"We can carry the District," Republican Shipley wired, adding that there will be Federal guarantees against any ballot misuse.

Late yesterday, Shipley was notified by an aide to Mechem that his wire had cleared up misunderstandings and that there was no need for him to make a projected trip to Columbus.

Rhode Island Lines Up for D. C. Vote

The Evening Star
Washington, D.C.

Wed. 3-22-61

Rhode Island today paced states expected to ratify the District vote amendment.

A House committee recommended passage of the proposal to give Washington residents a vote for President and Vice-President. A House vote today may be followed by Senate action before the end of the week. The legislature in Providence is trying to wind up as much business as possible before a recess through next week.

Ratifications by three more States will incorporate the reform in the Constitution.

Oklahoma yesterday became the thirty-fifth State to ratify. The House approved the amendment by a vote of 111-3 after Speaker J. D. McCarty moved the resolution up on the calendar. The Oklahoma Senate had indorsed the resolution in February.

New Hampshire, Ohio or Kansas could put the amendment over within a week.

In the District, the Citizens Committee for a Presidential Vote renewed its plea for $6,000 to cover costs of the suffrage drive. Checks will be received at Box 52, Ben Franklin Station, Washington, D. C. Donors should make out checks to Presidential Vote for Washington Committee, Chairman F. Elwood Davis said.

Party Leaders Differ on Rules For D.C. Voting

The Washington Post
Washington, D.C.

Fri. 3-31-61

District Republican and Democratic leaders were splitting yesterday on how to implement the 23d Amendment that—in good part because of their united effort—became law only Wednesday.

It was in an effort to have both parties behind them that the District Commissioners had a bill drafted by the Corporation Counsel in consultation with GOP Chairman Carl L. Shipley and acting Democratic Chairman Joesph L. Rauh Jr.

The Commissioners received the draft Wednesday night, disclosed it immediately and scheduled a public hearing on it for 10 a. m. Monday in Room 500 of the District Building.

Rauh said he regards the measure as a compromise. "If everyone else sticks to it, so shall we," he said. "If Shipley wants to make it more restrictive, we'll want to make changes to liberalize it."

The bill sets up a 1-year residence requirement. Shipley favors doubling that and would require that the voter not have claimed the right to ballot anywhere outside the District during that time.

Shipley said this would bear out his assurances to Republicans across the Nation that the Amendment would not siphon GOP votes from their states and protect against dual voting.

Rauh said that if Shipley presses for this, he will favor a 6-month residence requirement on the ground that American citizens should not be kept from voting for the Nation's leader by restrictive laws.

An implementing bill already introduced by Rep. Joel T. Broyhill (R-Va.) as a pilot measure set a 1-year residence requirement.

The Commissioners' bill continues the system of permanent registration established by the 1955 District primary law. Shipley and Broyhill prefer a re-registration before each presidential election. Shipley says permanent registration in a city with a highly transient population invites fraud.

Rauh would prefer to give the Board of Elections the power to decide between the two methods.

The Commissioners' and Broyhill's bills would, as drawn, permit 500 persons to have a minority party placed on the ballot by petition. Rauh favors this.

Shipley, however, advocates a clause defining a political party so as to bar any group that advocates overthrow of the Government by force or makes race or religion a qualification or disqualification for membership.

The chairmen of the Senate and House District Committees, Sen. Alan Bible (D-Nev.) and Rep. John L. McMillan (D-S. C.), have assured prompt hearings so that Congress can enact legislation perhaps this year.

Sen. Kenneth B. Keating (R-N. Y.) urged Congress to devise an election law that would serve as a model to the Nation and permit every qualified citizen to vote in 1964. In the Senate speech, he cited figures showing that an estimated 19 million Americans were deprived of the vote last November by archaic state voting laws.

The Pittsburgh Courier

What Will Happen When Washington Begins Voting?

Pittsburgh, Pa.
Sat. 4-8-61

WASHINGTON, D. C.—For years, street corner philosophers have been speculating as to what might happen in the nation's capital if its populace, which is 54 per cent Negro, ever received the right to vote.

Now they'll have a chance to find out.

Last week, residents of Washington were granted the right to vote for the President and Vice President of the country, when Kansas became the 38th state to ratify the 23rd Amendment to the U. S. Constitution.

The measure, which will allow Washingtonians to vote for the first time in 160 years, put an end to the district's second-class status as a ward of the government.

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THOUGH THE three votes in the Electoral College, which will result from this move, are important, the possible side effects from this monumental event stir the imagination.

Might the day not come, and very soon, when these 746,000 citizens will elect their own mayor? What is to prevent this "mayor" from being a Negro, when a majority of the voters re brothers of the skin. If they move into this area of self-government, it will be for the first time since 1878, when Congress abolished a mayor-council set-up here.

There was some premature rejoicing upon U. St. and across the nation, a few months ago, when it was announced erroneously that President Kennedy had appointed a Negro, to the five-man D. C. Board of Commissioners. This same appointment is expected to be made later this year, but now it is impartance seems to fade, in relationship to the prospects at hand.

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MIGHT THERE not be a shake-up in the city's police department which, according to Courier columnist Lynn Williams, 'sends recruitment teams across the country, while aspiring Negro applicants have to be 'astronauts' to get the nod." Though the qualifying exam. is relatively simple, no Negro has been appointed to the 189-man Park Police force since 1955, when one managed to slip through after intervention by a high Justice Department official.

And what about the current "Urban Renewal program, which is squeezing Negroes out out of desireable neighborhoods, to make room for whites—often commuters from Maryland and Virginia, who have had their fill of traffic jams and the so-called advantages of suburban living.

It is no secret that the U. S. government suffers from a chronic reddening of the face, brought on by the innumerable incidents involving dark-skinned diplomats from other countries, who can't find decent housing in good neighborhoods, or are snubbed by proprietors who mistake them for "plain, ordinary American Negroes."

■

NO ONE has to tell the hordes of brown men and women who have found refuge in this citadel of Civil Service security, that Negroes still have to "take low" when they seek jobs in private industry. Maybe the millenium is at hand that is if the newly-privileged 54 per cent exercises its right to vote.

When news of the enfranchisement broke, one colored citizen said, "I guess all the white folks are going to move out of D. C. now."

And so much for the better.

160 Voteless Years Finally End for D. C.

The Washington Post
P. B2

Residents of the area now comprising the District of Columbia voted in the Presidential election of 1800 when John Adams defeated Thomas Jefferson, just as they voted for electors pledged to George Washington in the uncontested elections of 1792 and 1796.

The District was then part of Maryland and enjoyed the Maryland suffrage. When the District was formally set up in 1801, its residents automatically lost the right to vote for President and members of Congress because no provision was made in the Constitution for national representation for the Federal District, an omission which some authorities have considered a historic accident.

Phum 3-30-61

The adoption of the 23d Amendment restores the Presidential vote to what is now the District for the first time in more than 160 years, but makes no provision for representation in Congress or local self-government.

The Presidential vote was restored to the residents of nearby Virginia when the portion of the original District south of the Potomac was retroceded to the Old Dominion in 1846.

The District enjoyed some measure of self government in the period from 1802 to 1874 by act of Congress.

In 1802, Congress established the first government for the city of Washington, providing for a mayor appointed by the President and a 12-man City Council elected by citizens of the District.

The power to elect the mayor to a two-year term was granted to the City Council in 1812 and from 1820 until 1871, the mayor was elected by the people.

On Feb. 21, 1871, Congress set up a "territorial" form of government for the District which functioned until 1874.

This consisted of a Governor, a board of public works, a board of health—appointed by the President with advice and consent of the Senate—and a legislative assembly.

The assembly was made up of a council of 11 members, appointed by the President, and a 22-man House of Delegates elected by the people. The District citizens also were empowered to elect their own Delegate to the House.

This government became embroiled in a fiscal and public works controversy which prompted Congress to step in.

On June 20, 1874, Congress set up a "temporary" government for the District providing for three Commissioners appointed by the President.

On July 1, 1878, Congress created the present Commission form of Government and Washingtonians were left with no provisions for exercising the right of suffrage except for the privilege of voting for delegates to the national conventions which was provided by Congress in the D. C. Primary Law of 1955.

Since 1877, more than 65 resolutions to grant the District representation in the Electoral College and in Congress have been introduced.

Continually in the forefront of the District's fight for voting privileges was Theodore W. Noyes, the late editor of the Washington Star. From 1887 until his death in 1946, he was unremitting in his efforts to obtain for Washingtonians the vote for President and Vice President and to give them a voice in Congress. Even after his death, he contributed to the right through a $25,000 trust fund which he left to promote national representation for the District.

It was the Noyes trust fund plus other donations that helped to pass the 23d Amendment yesterday. The Congressional resolution providing for that Amendment was introduced in 1959 by Sen. Kenneth B. Keating (R-N. Y.) and picked up Sens. Francis Case (R-S D) and J Glen Beall (R-Md.) as cosponsors.

Although Rep. Emanuel Celler (D-N. Y.), chairman of the House Judiciary Committee, had introduced his own suffrage resolution, he and the Committee agreed to substitute the Senate title in order to expedite its adoption by Congress.

Vote Eligibility Plea

The Christian Science Monitor

By Roscoe Drummond

Written Especially for The Christian Science Monitor

Washington

Due to the 23d Amendment citizens of the District of Columbia will be partially freed from the blight of "taxation without representation." In 1964 they will be eligible to vote for President and Vice-President. They still will have no representatives in Congress.

That is welcome. That is something. But it is not very much.

It is all to the good to end the disenfranchisement of the few thousand qualified voters in Washington, D.C. But this is the smallest part of disenfranchisement in the United States.

Last November, due to needless, heedless, excessive residence requirements, some 5,000,000 to 8,000,000 Americans on the move were denied even a chance to vote. They lost the right to vote through no fault of their own. They lost their votes because, for business or other reasons, they had to move from one part of the United States to another during the election year.

With minute exceptions, they were not allowed to vote in the states they had left or in the states to which they had moved.

There is no basis for suggesting that if these millions of citizens had been free to vote last November, the presidential election would have come out differently. Perhaps President Kennedy would have won by an even larger margin. Perhaps former Vice-President Richard M. Nixon would have been elected—if the disenfranchised and "lost" votes had been counted. The result was breathlessly close when you consider that the margin of victory was 112,000 votes out of 78,330,000. What we do know is that many millions of qualified citizens—enough to have reversed the outcome or to have given Mr. Kennedy a clearer decision—were denied any voice in choosing the President and Vice-President of the United States.

Boston, Mass.

Something can be done about it. Senator Kenneth B. Keating (R) of New York is taking the first step. He is writing to all the 50 Governors urging them to examine new state election laws permitting qualified citizens of the United States to vote for President and Vice-President no matter how short their residence.

There are different ways to solve this problem. One would be for Congress to enact legislation specifying that any citizen who was eligible to vote no matter where he was located at the time of the election could vote for President and Vice-President.

But since the states have primary responsibility for conducting elections, it would be better for the states to take the initiative to pass a uniform statute for the election of the presidency and vice-presidency.

Two states—Wisconsin and Connecticut—already have taken a valuable lead.

Wisconsin developed a method whereby a new resident can vote immediately in the election for President and Vice-President if he is a qualified voter in the state of previous residence.

Connecticut has extended absentee voting so that a person leaving Connecticut to take up residence in another state could cast an absentee ballot for President and Vice-President in Connecticut until he met the voting residence requirements in the new state.

Action has been taken by five additional states since these enactments in 1958 by Connecticut and Wisconsin. Vermont is the only other state to follow the Connecticut pattern of extending absentee voting privileges. Ohio, California, Missouri, and Oregon have eliminated or reduced residence requirements for voting by new residents.

* * *

Obviously the Connecticut method and the Wisconsin method by themselves solve only half the problem. For example, Connecticut takes care of former residents who move out of the state, but there is no provision for new residents. On the other hand, Wisconsin takes care of new residents, but it has no provision for former residents.

The answer would seem rather simple: all states should adopt a combination of the two, permitting new residents to vote for President and Vice-President and providing absentee voting privileges to residents who, for any reason, may not be eligible yet in the state to which they have moved.

Why shouldn't the next Governor's conference, which will meet in Honolulu June [illegible] agree on a uniform statute which the Governors could recommend [illegible] to all the state Legislatures? This would provide ample time for all the 50 Legislatures to act so that 5,000,000 to 8,000,000 unfairly disenfranchised Americans could vote for President and Vice-President in 1964.

D.C. Citizens Finally Win Right To Vote

The Montgomery Advertiser

P. 1

WASHINGTON (AP) —Citizens of the nation's capital were endowed in 13 minutes Wednesday with what they have been seeking for a century or more—the right to vote in national elections.

Just 13 minutes elapsed between ratifications by the 37th and 38th states of the 23rd amendment to the Constitution allowing permanent residents of the District of Columbia to vote for president and vice president.

Thurs. 3-30-61

The New Hampshire House approved at 1:01 p.m. Eastern Standard Time with a sprinkling of "no" votes. The Kansas house, which had stood ready for several days to achieve the distinction of being the last necessary state to act, was quickly summoned and at 1:14 p.m. Eastern Standard Time completed the Sunflower State's ratification.

The senatoes of both states had approved earlier. Thirty-eight state assents were needed to establish the newest amendment as law.

Texas and Ohio also had joined in the friendly competition to be the 38th ratifier. The latter, however, became the 39th 42 minutes after Kansas acted.

Arkansas alone had rejected the proposal.

The amendment, submitted by Congress last June, will permit residents of Washington, who do not cast absentee ballots in states where they claim a legal home, to vote for president for the first time in 1964.

The district will have three electoral votes, the minimum now allowed the six least populous states of Alaska, Delaware, Hawaii, Nevada, Vermont and Wyoming.

D.C. Voting Is Speeded In 2 States

The Washington Post

Washington, D.C.

Sat. 3-18-61

By Morton Mintz

Staff Reporter

The District's presidential voting proposal yesterday moved off dead center in New Hampshire, where it had been stalled for seven weeks, and picked up encouraging support in North Carolina.

These states are a reserve in addition to the five that could, possibly next week, make the proposal the 23d Amedment to the Federal Constitution.

The five states are Missouri, Ohio, Kansas, Oklahoma and Rhode Island. The proposal has been ratified by 33 state legislatures. It will become law at the moment that its approved by the 38th legislature.

New Hampshire Hearing

In New Hampshire, Speaker Stewart Lamprey (R), of the House of Representatives, set 10 a. m. Thursday for a House Judiciary Committee hearing on a Senate-passed ratification resolution.

Rep. Lamprey predicted that the amendment would clear the Committee and be ratified by the House, which may act the week of March 27.

Earlier in the day, Sen. Styles Bridges (R-N. H.), chairman of the Senate Republican Policy Committee, conferred by phone with Gov. Wesley Powell, an early backer of the Amendment.

Bridges, acting on the appeal of District GOP Chairman Carl L. Shipley, told Powell that ratification by the epublicanR-controlled legislature is important to the District Republican organization.

Meeting Projected

Shipley, who asked to testify before the Judiciary Committee, reported that Powell told Bridges he would meet with House leaders early next week to see if action could be speeded.

In North Carolina, Rep. Ed Kemp (D), the leading backer of the Amendment, said that he believes a ratification resolution can pass the House and Senate.

"The tides are running with us, and we're picking up votes," he said.

The resolution was introduced in the House and reported favorably—17 to 1—by the House Elections Committee. But the House on Tuesday sent the resolution to its Constitutional Amendments Committee.

That Committee will hold a public hearing on the resolution on Wednesday. Kemp said the chances of favorable action now are excellent.

District of Columbia Wins Vote by 23d Amendment

The New York Times
Thurs. 3-30-61

By RUSSELL BAKER
Special to The New York Times.

WASHINGTON, March 29—The United States finally gave its capital the vote today. As a result, for the first time in more than 160 years, Washingtonians will be able to vote for President and Vice President in 1964.

The District of Columbia's century-long struggle for voting rights was won when Kansas became the thirty-eighth state to ratify the Twenty-third Amendment.

The amendment empowers Washingtonians to vote for the two top places on the national ticket every four years, and gives the city three members in the Electoral College. This is the minimum number now accorded the six least populous states, each of which trail Washington in population. They are Alaska, Delaware, Hawaii, Nevada, Vermont and Wyoming.

A Tame Celebration

Meanwhile, the city's historic status as a ward of the Government without self-governing powers continues, and the fight for home rule goes on.

The amendment's ratification produced nothing to compare with the jubilant street scenes in Alaska and Hawaii that marked those territories' accession to statehood in recent years. But Washington is blasé about its historic events.

There were big headlines in newspapers, statements by President Kennedy and a few Senators, ebullient editorials and, on the tidal basin, a sudden full blooming of Japanese cherry blossoms.

The amendment, which passed Congress last year, was ratified by the required three-fourths of the states in the unusually fast time of 286 days after Congress had completed action.

Only one other amendment, the Twelfth, requiring electors to vote separately for President and Vice President was approved more quickly by the states. That one took about 200 days, the exact figure depending on differing computing

Ohio and Kansas

For the final ratification, a contest had developed between Ohio and Kansas. The latter, celebrating the centennial of its admission to the Union, wanted the honor of being the thirty-eighth. Its legislative leaders urged Ohio to act first as the thirty-seventh.

The Ohio Legislature declined, and a waiting game developed. Shortly after noon today, New Hampshire began to act at 1:01, the New Hampshire House approved the amendment and became the thirty-seventh to ratify.

In Topeka, meanwhile, the Kansas House had recessed for lunch at 11:55 A. M., Kansas time, under an agreement to stay out until 3:30.

At 12:03 P. M. a reporter, having learned of New Hampshire's action told William Mitchell had the chamber half filled in seven minutes. Four minutes later, at 1:14, Washington time, Kansas had its way.

In Columbus, Frank W. King, democratic leader in the Ohio Senate, observed that "Ohio managed to miss the boat again." That state became the thirty-ninth to ratify a 1:56, forty-two minutes behind Kansas.

Operation Ballot

The Afro-American
Baltimore, Md.
Sat. 4-8-61

Why did registered voters drop 99%?

WASHINGTON, D.C.

Why did the number of colored persons registered to vote in St. Helena Parish (county) in Louisiana drop from 1,243 to a mere 14 in a four-month period?

This is the question a Justice Department probe is seeking to answer.

The parish, located about 60 miles north of New Orleans, is under federal court order to desegregate its schools, no specific date set.

* * *

THE PARISH has scheduled a special election next month to determine if voters would prefer the public schools should be abolished rather than desegregated.

According to Assistant Attorney General Burke Marshall, the investigation is to determine if federal voting laws have been violated.

The parish has a population of approximately 9,000. According to reports reaching Washington, the number of whites registered to vote dropped from 2,478 to 1,420.

This means even if all the currently eligible voters cast ballots, the issue of public schools for a population of 9,000 will be determined by 1,434 —slightly over 10 per cent of the total.

* * *

THE CASE of the ousted sharecroppers of Fayette and Haywood Counties, Tenn., has been appealed to the Sixth Circuit Court in Cincinnati, Ohio.

The Justice Department asked the court to order 15 white Tennessee landlords to renew leases with 23 sharecropper families.

The government entered the case, last fall, after finding evidence that the farmers were ousted because they voted in the 19 presidential election.

* * *

THE COURT OF Appeals Dec. 30 enjoined the landlords from evicting tenants who had voted in the November election, pending a ruling on government cases against the landlords.

* * *

THE COURT OF Appeals injunction also enjoined the landlords from refusing to renew leases with their sharecroppers for the purpose of "intimidating, coercing or punishing them for exercising their right to register and vote in a federal election."

The application filed Thursday pointed out that the standard practice under sharecropper leases has been for the landlords to reach some agreemnt with the tenants about the kind, amount and location of the cash crop, to advance money for living expenses during the crop season, and to arrange for necessary farm supplies, such as seed and fertilizer.

The 15 landlords have not done anything about making such arrangements this year, while permitting the sharecroppers to continue to occupy their homes, the Justice Department said.

Residence of 6 Months Urged for D. C. Vote

The Evening Star
Washington, D.C.
Fri. 4-7-61 34c

Commissioners Also Ask Four-Year Registration, Minimum Age of 21

By CHARLES D. PIERCE
Star Staff Writer

The District Board of Commissioners decided yesterday to recommend that Washington's proposed voting law provide for registration every four years and penalties for electors who violate their oaths.

The board also recommended fixing the minimum voting age at 21 and requiring six months of residence here for voting eligibility. Sale of liquor would be banned during election hours.

Alternative methods were approved by the board for deciding whether a political party should be permitted to list its candidates on the ballot.

Under these procedures a party could qualify by submitting a petition with 500 signatures or by showing that it was listed on the ballot in five States at the last presidential election.

Irving Bryan, assistant corporation counsel, was given the task of writing these amendments proposed by the Commissioners into the draft election law on which a public hearing was held Monday.

Final Check Tuesday

Commissioner Walter N. Tobriner also asked Mr. Bryan to review several last-minute recommendations for changes in the law received in the last few days from individuals and civic groups.

Mr. Tobriner said the board will give the amended law a final check at its meeting Tuesday and then send it to Congress.

Mr. Tobriner said he believed there should be some type of penalty, possibly a jail sentence, for electors who violate their oath of office.

The District will be entitled to three electors at the next presidential election. The draft law provides that only those who have taken an oath that they will vote for the candidate of the party they are nominated to represent may be nominated as electors.

Some Violations

In some States, electors have violated their oaths and voted in the Electoral College for the presidential candidate of another party.

Under a registration plan outlined by Daniel F. Noll, secretary of the Board of Elections, and recommended by the board, registration for the first presidential election here would begin January 1, 1964, and end 45 days before the November election.

Mr. Noll explained that he thought the registration should terminate 45 days prior to the election in order to provide time for preparing lists of registered voters in each precinct for the political parties.

Mr. Tobriner said he believed the sale of liquor, beer and wine should not be permitted during the voting hours, even at a restaurant.

Commissioner Robert E. McLaughlin said that this might prove inconvenient to the many transients in Washington.

However, Mr. Tobriner said that the election only lasts 12 hours and that sale of alcoholic beverages can be resumed when the polls close at 8 p.m.

Mr. Noll questioned whether it was necessary to allow political parties to place their party symbols on the ballot.

"Some people are not such good readers," commented Commissioner Tobriner, who favored use of the symbols.

Joked Commissioner McLaughlin:

"You mean you can't tell the difference between some Republicans and Democrats, and that you can between a donkey and an elephant."

Mr. Tobriner said he believed the board should concentrate at this time on recommending a law to govern the presidential elections here. He added that at a later time he thought a separate bill could be introduced to provide for improvements in the primary election law.

34e 1961

D. C. Vote Action Pushed in 15 States

Wyoming, West Virginia Ready To Ratify; OK by 31 More Needed

A concentrated effort to rally support for the Constitutional amendment granting suffrage to District residents is being directed at 15 State legislatures which are due to adjourn before the end of March.

Co-ordinating the approach will be the local organization, Citizens for the Presidential Vote.

Carl L. Shipley, District Republican leader, has written every Republican legislator in each of the States. The local Democratic leader, W. John Kenney, continues to contact key Democratic legislators who will attempt to guide the amendment's passage.

Seven States Ratify

The amendment, which would grant local citizens a vote for President and Vice President already has been ratified by seven States. The latest action came from Maryland and Oregon, both of which gave their endorsement Friday to the proposal. A total of 31 more approvals will turn the amendment into law.

On the brink of ratifying the amendment are the legislatures of Wyoming and West Virginia.

In Wyoming, the Senate ratified the amendment on Friday —21-4. The House is expected to take up the amendment early this week. Passage is expected.

A similar situation exists in West Virginia. The Senate unanimously voted for ratification and sent the measure to the House.

Only Arkansas Opposed

And in Wisconsin, the Senates Judiciary Committee has reported the proposal to the floor. A Senate vote is expected this week.

So far, only Arkansas has voted against it. States which had stamped their approval on the legislation before Maryland and Oregon acted last week were Hawaii, Massachusetts, New Jersey, New York and California.

The amendment has not been acted on to date in Georgia, Utah, New Mexico and Tennessee.

Georgia's Legislature winds up work on February 17, Utah on March 10, New Mexico on March 11 and Tennessee on March 18.

In other States, there have been these developments:

In Idaho, due to end its session on arch 3, the lower body of the Legislature passed the amendment 55 to 1. It is now before the Senate.

Montana House Acts

In Nevada's Legislature, which adjourns March 17, the amendment has been introduced in both houses. Little opposition is expected.

In Montana, the House has passed the amendment 90 to 24. The legislature adjourns March 3.

In South Dakota, ending March 4, the amendment, indorsed by Gov. Archie Gubbrud, is pending before the Senate's Committee on State Affairs.

In Indiana, adjourning March 7, the proposal has been introduced in the House.

Humphrey Backs Move

In Washington, adjourning March 10, the Senate has received the resolution.

In Arizona, due to adjourn March 13, the amendment is pending before the House and Senate. Action is expected by the middle of next month.

Meanwhile, Senator Humphrey, Democrat of Minnesota, last night urged ratification of the amendment which has passed the State Senate.

Urging speedy ratification of the amendment by the legislature, Senator Humphrey, the United States Senate's majority whip, said:

"I have given this amendment my complete support, and have every reason to hope it will be passed."

Previously, Mr. Humphrey has urged support in letters to key political leaders in his state.

D. C. Vote Bill Is Introduced In Raleigh

A bill has been introduced in the North Carolina General Assembly to ratify the 23d Amendment to the Constitution which would give Washington residents the right to vote for President and Vice President.

Representative Ed Kemp of High Point asked yesterday for a joint resolution providing for the ratification. It was referred to the Committee on Elections and Election Laws.

Mr. Kemp said, "It is difficult to see how our State or any State could vote to deny these citizens their franchise." He pointed out that District citizens pay Federal and local taxes and serve in the armed forces as do other citizens.

"Ratification of the 23d Amendment would give them a small voice in the process of government," he added.

So far, 22 States have ratified the amendment. To become law, it needs 38 States.

The Tennessee House Finance, Ways and Means Committee tabled a proposed joint resolution supporting the amendment yesterday which legislators there said virtually kills all prospects of approving the resolution this session.

The action was taken by a voice vote in a closed session of the committee. It was approved several days ago by the Senate.

Representative William J. Peeler, Democrat of Waverly County, said he would ask the House to recall the bill from the committee, a procedure that seldom succeeds in Tennessee Legislatures.

A member of the committee, declining the use of his name, said there were "segregation elements" on the committee opposed to the resolution.

D.C.

N. Y. Backs Washington Right to Vote

4th State to Vote For Amendment

By Charles N. Quinn

ALBANY, Jan. 17.—New York today became the fourth state of the Union to ratify the twenty-third Amendment to the United States Constitution giving residents of Washington D. C., the right to vote for President and Vice-President.

Both Houses of the State Legislature, the Senate last night and the Assembly today, adopted without debate a concurrent resolution enfranchising the nation's capital, a city of 750,000 persons.

Thus, New York joined New Jersey, Massachusetts and Hawaii in approving the amendment. Assent of the Legislatures of thirty-four more states—or three-fourths of all fifty states required by the Constitution—is necessary before District of Columbia residents will have the right to vote.

The amendment entitles Washington to three electors in the Electoral College, in which states are represented by their number of Senators and Representatives in Congress. Actually, the amendment specifies the Capital shall have no more electors than the least populous state, which now is Alaska, with about 225,000 persons.

The resolution will be certified by New York Secretary of State Caroline K. Simon and then forwarded to the United States Secretary of State.

Urged By Governor

Gov. Rockefeller, in his annual mesage to the Legislature on Jan. 4, urged "prompt and favorable action" to place New York among the first to ratify the amendment. The resolution was sponsored by Sen. MacNeil Mitchell, R., Manhattan, and Assemblyman J. Eugene Goddard, R., Rochester.

It is widely held that citizens of Washington were originally denied voting rights because of an oversight of the founding fathers. Because the District is not a state, no machinery had been created to enfranchise its residents.

Washingtonians, however, were once allowed to elect a non-voting delegate to Congress and a twenty-two member Lower Municipal Council. At the time the Capital was ruled by a Governor and Council appointed by the President plus the elected Lower House. In 1874, however, this right was taken from them.

3 Commissioners

Today the District is governed by a board of three appointed commissioners. Real control lies in the Senate and House District of Columbia's committees, dominated by Southerners who are not enthusiastic about home rule for Washington's populace, said to be 55 per cent Negro.

Residents have had the right, however, to vote in Presidential primary elections since 1956. Legislation extending voting rights has failed in the past but posible support by President-elect John F. Kennedy, who had favored such action as a Senator, have heartened proponents.

Prospects for ratification of the twenty-third Amendment appear bright. Maryland is reportedly near approval and chances in thirty-seven other states have ben assessed as fair to excellent.

Tennessee Acts On D.C. Voting

NASHVILLE, Tenn., (AP)—Gov. Buford Ellington signed Wednesday a resolution ratifying a proposed constitutional amendment to allow District of Columbia residents to vote in presidential elections.

The resolution became effective when the House passed it Monday night, and Ellington's signature was not required. However, he had actively backed the proposal and personally rescued it from death in a committee, and Wednesday went through the ceremony of signing it.

Vandiver Will Not Take Stand On D. C. Suffrage Amendment

The Washington Post
Washington, D.C.

By Morton Mintz
Staff Reporter

A third southern governor, Georgia's S. Ernest Vandiver, has declined to take a stand on the proposed Constitutional Amendment that would give the vote for President and Vice President to District residents.

He said, however, that a ratification resolution will be introduced in the Georgia Legislature, which has recessed until Feb. 20.

He told reporters in Atlanta that he will transmit the A mendment to the legislature "without prejudice."

On Jan. 28, House Floor Leader Frank Twitty (D) said that he personally favors ratification.

Attitude Crucial

Although the Federal Constitution accords no formal role to a governor in the ratification process, his attitude can be crucial, particularly in a southern legislature on an issue involving voting rights for a city with a population that is 53.9 per cent Negro.

Gov. Orval Faubus of Arkansas took a hands-off attitude toward the Amendment and subsequently the House of Representatives rejected it 59 to 26.

In the 13 Northern states that have ratified the Amendment the governors were among the key supporters.

On Thursday, Gov. Buford Ellington of Tennessee told the General Assembly that it would be all right with him if it accepted or rejected the Amendment.

Governor Receptive

"An expression of your wishes . . . will be respected by me in the fullest," he said.

A resolution for the Amendment is expected to be introduced in the General Assembly.

No comment on the Amendment has come from Gov. Ernest F. Hollings of South Carolina, whose legislature convened Jan. 10. It is not known whether a ratification resolution will be introduced.

North Carolina's Legislature convenes on Wednesday. Gov. Terry Sanford has declined to comment on the Amendment.

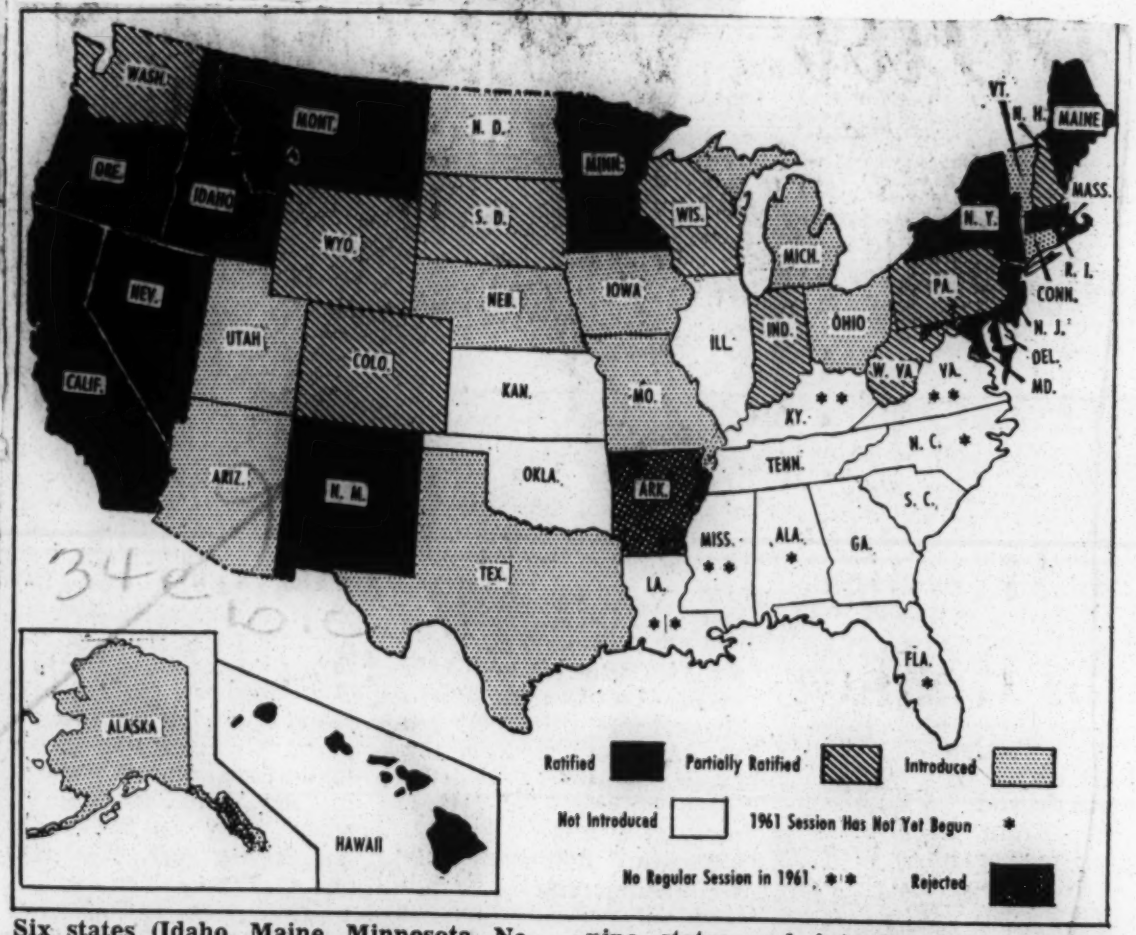
Florida's Legislature meets on April 4. Gov. Farris Bryant has expressed opposition to the Amendment.

Alabama Session

The Alabama Legislature convenes on May 2. Gov. John Patterson said last fall that he was inclined to favor ratification. He stressed that his position was tentative.

The legislatures of three southern states, Louisiana, Mississippi and Virginia, will not meet in regular session until next year.

The suffrage proposal must be approved by the full legislatures of 25 more states to become law. It could become the 23d Amendment this year even if it is rejected by Georgia, Tennessee, South Carolina, North Carolina, Florida and Alabama.



Six states (Idaho, Maine, Minnesota, Nevada, New Mexico and Montana) ratified last week the proposed Constitutional Amendment that would let District residents vote for President and Vice President, for a total of 13. The approval of 25 additional full state legislatures is required to make the Amendment law. Amendment resolutions have been partially ratified in nine states and introduced in thirteen others. No action has yet been reported in seven states where the legislatures have begun their 1961 regular sessions (Delaware is in recess until Feb. 13, Georgia until Feb. 20). Regular legislative sessions have not opened in three states and will not be held until 1962 in four others. Only Arkansas has rejected the Amendment.

Five Florida Counties 'Deny Ballot on Grounds of Color'

By ROBERT S. BOYD
Of Our Washington Bureau

WASHINGTON — The U.S. Civil Rights Commission said Saturday that some Florida Negroes are still being denied the right to vote on racial grounds.

It said the problem is "limited to a few isolated counties" in the northern part of the state, and said the situation is improving in at least three of these.

The commission's 1961 report on voting lists about 100 counties in eight Southern states in which, it says, "there are reasonable grounds to believe that substantial numbers of Negro citizens are, or recently have been, denied the right to vote on grounds of race or color."

Included in the list are Gadsden, Flagler, Union, Liberty and Lafayette Counties in North Florida.

Lafayette, Liberty and Union Counties were listed in the commission's 1959 report as "cipher counties," where no Negroes were registered.

Lafayette and Liberty still had no Negroes registered as of Oct. 8, 1960, the report said. The two counties had 392 Negroes over 21.

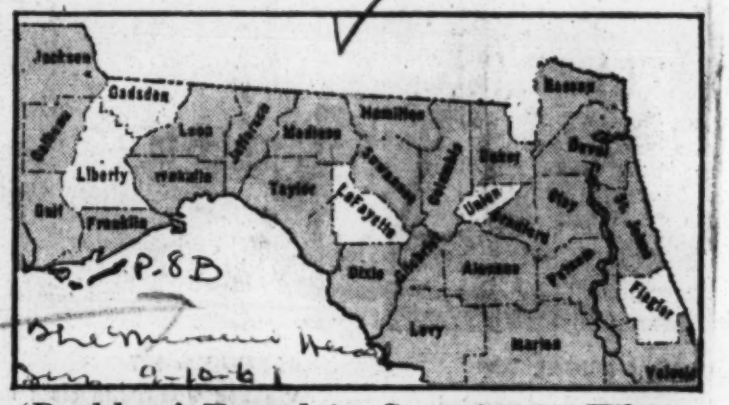
In Union County, six out of 1,082 voting-age Negroes had registered since 1958.

The Justice Department has been studying Union County voting records, but has not filed a suit charging discrimination.

In Flagler County, Negro registration rose from 19 in 1958 to 50 in 1960—there were 846 Negroes over 21.

In Gadsden County, the report said, "fear lingers as a deterrent to Negro registration," but "the situation appears to be improving."

Early in 1960, county officials told Negroes they could register and 348 of them did. As a result, Negro registration in Gadsden jumped from seven to 355, out of a voting-age population of 12,261.



'Problem' Found in Counties in White

In the state as a whole, the report said, whites made up 85 per cent of the voting age population in 1960, but 91 per cent of the registered voters.

Negroes accounted for 15 per cent of Florida's population, but only nine per cent of the voters.

In two counties, no Negroes are registered; in four counties, less than 10 per cent are registered; in seven counties, less than 25 per cent, and in 27 counties, less than 50 per cent.

In Dade County, 71 per cent of the white voting-age population was registered, and 37 per cent of the Negroes.

The Civil Rights Commission also published a brief report from its Florida State Advisory Committee, headed by Harold Colee of Jacksonville.

The committee said it received no complaints or charges during the past year. "The established pattern of relative calm in the field of race relations has continued," it said.

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FLORIDA

Everybody in 2 Counties Balloted--And Then Some

Miami Herald 8-A Wed 8-30-61

Miami, Fla.

TALLAHASSEE — In three of the last five Democratic primaries, there were more votes cast than there were adults in Liberty and LaFayette Counties.

Liberty County had 1,452 white people age 21 and over in April, 1950, according to the U.S. census report.

The county's adult population increased by 8 white adults a year from 1950 to 1960.

In 1952 — in the race for sheriff of Liberty County — 1,512 votes were shown as cast. In the 1954 governor's race, 1,510 votes.

It was not until 1958 that the number of white adults in Liberty increased to 1,500, according to census estimates.

The 1960 census bore this out, showing 1,525 white people 21 and over. Last year, 1,678 people voted in the sheriff's race.

There was one Negro registered to vote in Liberty County during that period — in 1956.

In LaFayette County, where the white population decreased from 1950 to 1960, there was little or no decrease in the number of voters.

In 1950, the federal census showed there were 1,701 white adults in LaFayette County, which never had had a Negro voter. The number of adult whites decreased to 1,536 in 1960.

In the 1952 race to nominate a member of the Florida House of Representatives, 1,783 ballots were counted.

In the 1956 House race, there were 1,723 ballots.

In the 1960 sheriff's race, there were 1,678 votes.

Secretary of State Tom Adams said that Lafayette and Liberty counties were among nine he is having checked for having more registered voters than adults.

However, in none of the other seven have there been more votes cast than adults.

He issued a chart showing 1960 adult population of the nine counties, and pinpointed the 1960 sheriff's races in Liberty and Lafayette Counties as having more votes cast than adults.

Adams' chart of population and voter registration was based on registration as of Oct. 8, 1960, and the census was made April 1, 1960.

Voter registration as of April 3, 1960, showed that there were only seven counties with more voters than adults.

Two counties — Holmes and Okeechobee — did not reach this state of affairs until October.

Adams' chart showed that Holmes had 6,753 registered voters and 6,380 adults last year.

Washington had 7,067 registered voters and 6,385 adults.

Okeechobee had 3,706 registered voters and 3,403 adults.

Calhoun had 5,002 voters and 4,016 adults.

Lafayette had 1,997 registered and 1,688 adults.

Liberty had 1,948 registered and 1,765 adults.

Baker had 4,456 registered to vote and 4,010 adults.

Dixie had 2,561 registered and 2,501 adults.

Gilchrist had 1,746 registered and 1,667 adults.

34e 1961

Study Slated On System of Registration

The County Commission yesterday directed Supervisor of Registration Fleming H. Bowden to conduct a study of the possibility of revamping voter registration procedures.

It has been suggested that voter registration books be located in various precincts to facilitate enrollment of voters.

Robert A. Mallard, chief deputy registration supervisor, brought the matter up by reminding the board that unless something is done, Duval County will grow into a Dade County population law which authorizes registration of voters at locations other than the courthouse.

County Atty. J. Henry Blount stated that the commission can avoid coming under the Dade act merely by having the population bracket changed by the 1961 Legislature.

Mallard told the commission it would be impossible to properly prepare for an election if the registration books were sent to each of the 131 precincts in the county. This would involve many thousands of dollars in expenses and duplication of work done at the courthouse office, also, he said.

Mallard said if precinct registration is adopted, it would be like throwing away a quarter of a million dollars worth of effort expended in developing the present system.

Mallard said, however, it might be worthwhile to study the possibility of establishing up to 18 special registration centers throughout the county.

In view of these observations, the commission authorized the study.

Under Duval's permanent registration system, voters have to register once in the courthouse. Each two years, renewal notices are sent to voters. All that is required is that the notices be signed and returned and voters are retained on the permanent registration rolls. Changes of address can be handled by mail, Mallard said.

Commissioner Bob Harris said since voters have to register only once, it appeared to be an unnecessary burden on the taxpayers to establish numerous registration locations. Commissioner Fletcher Morgan said numerous registration locations could lead to vote fraud and be very expensive to police.

Included in the study will be the possibility of adding more voting machines.

Bowden's office is currently undertaking a study of splitting population-heavy precincts which will add several more precincts to the county's present 131.

Voter Files May Assist Volusia Suit

By Staff Writer

DAYTONA BEACH, Feb. 14—Opposing counsel in the battle over relocation of the Volusia County seat are expected to request the County Commission to furnish a list of registered electors and freeholders as of last Aug. 16.

That was the date a Halifax area group presented a petition to the clerk of circuit court containing a reported 18,800 signatures seeking a referendum on the question.

Counsel representing both sides of the issue met here today for three hours but failed to reach final decision on points of legal contention regarding the petition signatures and the manner in which they were obtained.

Today's session, arranged by the County Commission last Friday following a public hearing, was closed to the press.

Sidney Taylor of DeLand, representing opponents of the move, said the discussion was "on congenial and cooperative terms" and that another conference probably will be held next week.

The attorneys are attempting to resolve legal questions to be included in a possible declaratory decree suit which the county attorney has suggested be filed in circuit court.

Negro Voter Registration Drive Slated

MIAMI BEACH, Fla. (AP)—An intensive campaign to double the Negro voter registration in the South was announced Wednesday by Dr. Martin Luther King.

The Negro leader told a news conference that before long thousands will stage "stand-ins" at places where Negroes have not been permitted to register.

There are 1,300,000 Negro voters registered in the South, and five million are eligible, the Atlanta Baptist minister said.

Sit-ins, wade-ins and kneel-ins will continue, King said, until segregation is ended at lunch counters, swimming places and churches.

"Our massive drive to get Negroes registered and voting will include rural regions in the deep South where Negroes may confront reprisals," King said.

The Negro leader, here to address a Luther League convention, also made these points:

1. President Kennedy has "failed to come through on his pre-election promise of civil rights legislation. We need such legislation." The President however has taken other significant steps to further civil rights, he said.

2. Massive resistance to segregation will end in four or five years, urban centers will be desegregated in 10 years, and there will be a "truly desegregated society" by the end of the century.

3. Churches have not done all they can "in the area of social justice, but we see some signs of change."

4. "Housing segregation is still a glaring reality in the North. Economic segregation also remains a big problem there."

5. There are three Souths: "The South of hard core massive resistance including South Carolina, Mississippi, Alabama, Louisiana and Georgia; the South of resistance, such as North Carolina, Tennessee, Florida Texas and Virginia, and the South of compliance, such as Oklahoma and Kentucky."

SEPTEMBER

FLORIDA

TOO MANY ON LISTS

Baker Votes Funds for Purge Of Voter Registration Books

By Staff Writer

MACCLENNY, Sept. 7—The Baker County Commission agreed today to provide necessary funds to Supervisor of Registration Arthur Combs to purge names of ineligible persons from the county's voter registration books.

The action was taken as the result of an announcement last week by Secretary of State Tom Adams that Baker was one of eight counties with more registered voters in 1960 than there were persons over 21 years of age.

There were 4,456 voters registered in 1960. The census showed only 4,010 persons over 21.

The board's action was taken at the prodding of Rep. John Crews who said the county had been negligent in purging the rolls since a permanent registration system was established under state law.

"We had a pure ballot in 1960," Crews said. "The 1960 election was just as pure as in 1956 when Baker County was the deciding factor in electing Adams to the Senate to start his political career."

Adams won the 29th District Senate seat in 1956 in his first political contest. He trailed in Clay County but this was offset by the majority vote he received in Baker.

Combs said only 2,836 persons voted in the 1960 primary. He said he had asked the commission last January for funds to purge the books but they told him to let them remain as they were.

Crews and Combs both said that most of the ineligible voters were persons who have moved from the county. Combs said some supervisors of registration fail to notify him when these persons register in other counties.

A large number of persons on the registration books reside in Jacksonville but continue to vote in Baker County, it was pointed out. Crews said it was up to Combs to determine if these persons had shown either by word or action that they had established permanent residences in another county.

Persons temporarily absent from the county can continue to vote in Baker County elections, he said, according to a ruling by the attorney general.

Crews estimated the names of 800 persons now residing in other counties could be purged from the registration list. Combs said he had ordered 1,200 cards printed to send to persons who failed to vote in the past two years.

Two years ago, Gov. LeRoy Collins ordered Combs to purge from the registration books the names of a number of persons who had been convicted of felonies and whose civil rights had not been restored.

Registration in 8 Counties Exceeded '60 Census Figures

The Florida Times-Union p. 11
Jax. 9-3-61 Jacksonville, Fla.

But Report Shows No Positive Evidence Of Deliberate Election Violations

THE people of several North Florida counties appear to be voter registration happy, according to a report issued last week by Secretary of State Tom Adams.

The report said that in eight counties the voter registration exceeded the 1960 census figures and that in two of them the voting for governor and sheriff in the first primary of May 3, 1960, topped the adult population count.

The Bureau of the Census claims it does not make mistakes of more than 1 per cent.

Adams said there was a strong presumption that registration rolls in some of the counties were not up to date, but there was no positive evidence of deliberate election violations.

And Gov. Farris Bryant chimed in with a declaration that the state government would tolerate no manipulation of registration or voting in any county.

That the registration rolls were not up to date in some counties was evident, but there also were some who did put too much faith in the Census Bureau's small margin-of-error claim.

Miss Nellie Langston, registration supervisor in Lafayette County, said she thought maybe that some persons living on farms in the county and working elsewhere were not counted in the census. She said her lists were purged in 1959. Lafayette and Liberty were the counties where voters outnumbered the adult population as counted by the Census Bureau.

Adams came to the registrars' defense with an observation that some of the apparent discrepancies may have occurred because some eligible persons were away at school when the census was taken.

Baker County Registrar Arthur Combs also was of the opinion that some residents weren't counted in the census. But he said his registration books weren't purged last year because the County Commission told him not to bother.

The counties which were over-registered along with Baker, Lafayette and Liberty were Calhoun, Dixie, Gilchrist, and Holmes.

The state has a permanent registration system law which is designed to clean up the voter lists every two years and all counties but Gadsden are supposed to be operating under it by the end of this year. Gadsden has been given a five-year extension by the Legislature.

A number of other announcements came out of capital during the week.

Gov. Bryant issued an executive order directing cities and counties to file their disaster operational plans with the state civil defense organization. The governor said some communities have been slow in cooperating voluntarily in the master civil defense plan.

The Governor's Educational Committee on Decent Literature made plans for a meeting in Tampa Oct. 21 at which it will launch a statewide program for better literature for children.

The board of governors of the Southwest Florida Water Management District created by the 1961 Legislature organized and was told by Gov. Bryant to develop measures to control floods but at the same time to promote drought insurance and accent recreational development. The district encompasses 12 counties from Gilchrist through DeSoto.

The Cabinet Personnel Board set a hearing for Tuesday on the appeal by the State Road Department from a Merit System Council order directing it to reinstate five Miami area engineers who were fired in the contractor payola scandals early this year.

The Florida Sheriffs Bureau revealed plans to add four field investigators and two lie detector examiners to its staff by next April. The bureau now has two investigators and two polygraph operators.

The 1961 legislative act which cut the merchants' inventory tax assessment to 25 per cent of value was ruled unconstitutional by Circuit Judge George Patten in Gainesville. He said the law requires a distinction between classes and types of personal property which is prohibited by the Constitution.

The Alachua County Commission brought the suit to test validity of the law after Tax Assessor Claude Franks had threatened to assess real estate at 25 per cent of value also and upset the commission and school board budget planning.

The weather took a couple of hard punches at Florida.

Tallahassee had its worst flooding in the memory of the city's oldest residents when more than seven inches of rain fell in the capital area Wednesday. Damage was minor, however.

At DeLand, a new high school whose completion had been delayed because of substandard construction work, suffered another setback when it was struck by a tornado early Tuesday. First estimates of $80,000 damage were cut to $25,000-$30,000 but the repairs will mean another delay in acceptance of the school, and two others which were included in a package contract and where work is on schedule.

A special Okaloosa County grand jury reported an investigation had shown no evidence has been produced in the case of Jesse and Doyle Cayson of Crestview who are serving life terms for their convictions in 1960 of the 1940 slaying of Les Wilson, father of the present sheriff, Ray Wilson.

The case was reopened after Circuit Judge Thomas Beasley of DeFuniak Springs, who was defense counsel for the Caysons, claimed he had information which might have helped prove the brothers were innocent. Beasley said he could not reveal his information because of the confidential relationship between client and attorney. The judge was among the witnesses heard by the grand jury.

AUGUST
VOTER - STAND-IN

3-a 1961 FLORIDA

Dixie Negroes Push For Registration Total of 2,600,000

The Courier Pa Ste. 2
Sat 8-26-61 Pittsburgh Pa.

Courier News Service

MIAMI BEACH, Fla.—"Stand-ins" at voter registration locations in the Deep South will be directed to raising from 1,300,000 to 2,600,000 the number of Negroes exercising the right of franchise in these states.

This is the goal set by the Rev. Martin Luther King Jr., who told newsmen of the soon-to-be launched program while here to address predominently white audience of the Luther League of the American Lutheran Church at its convention here Wednesday.

Even so, this would be but little more than half the estimated 6,000,000 Negroes eligible to vote in states in the South, which now employ every possible means to discourage their exercise of this right.

■

DR. KING, pastor of a church in Atlanta, and the man who several years ago set in motion the now famous Montgomery bus boycott which lasted more than a year, said a time limit of two years has been fixed as the goal of accomplishing this end.

He said that "in the not too distant future there will be thousands of Negroes standing at places where they have been denied the right to register." This apparently includes the hundreds of registration places in the rural South, in particular, where they have heretofore been intimidated and often forcelbily ejected.

The integration leader later told more than 14,000 teen-agers at the Miami Beach convention of the Luther League in Convention Hall: ". . . the salvation of the world lies in the hands of the 'maladjusted'."

THE HOPE OF the world is dependent on those who refuse to adjust to the inequalities and injustices of the world he told them In this respect he described the new world as a "neighborhood" because of the scientific developments which have all areas so much closer together.

Since the world has become a "neighborhood," he declared, it is now up to men of good will to make it a "brotherhood." He emphasized that "We must learn to live together as brothers, or die together as fools.

'The challenge facing the individual is to see that Negroes are not excluded from your neighborhood," Dr. King said while again pointing to the Chirstian church in America as one of its most segregated institutions.

■

DR. KING ALSO praised some definite steps initiated by the Kennedy Administration moving towards full civil rights for Negro Americans. He also criticized the administration for not yet having kept some of its pre-election promises.

He said, also, that the South, as regards the Negro, no longer says "never", but has changed to "later". He also predicted that soon the theory of "massive resistance" in the South will have come to an end, even in Mississippi, Alabama and South Carolina.

He added that within ten years all major urban centers in the South will be desegregated, and that "by the end of this century ours will have become a truly desegregated society."

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FREEDOM PARTY
AN INDEPENDENT LABOR POLITICAL ORGANIZATION

FREEDOM PARTY TO GO ON BALLOT

The New York Times
Sunset

Labor Choice of City Ticket Will Be Made Next Week

Pg 12 C
Sat. 7-13-61

The Freedom party announced yesterday that it "definitely" would be on the city-wide ballot this fall as an independent labor political organization.

New York City

If it polls enough votes, its leaders said, it may expand next year into a state-wide party.

The announcement was made after the Association for the Promotion of Freedom, Inc., the party's sponsoring group of fifteen labor leaders, met at the Commodore Hotel. The closed meeting followed by one day an overwhelming endorsement for the party by the 35,000-member Hotel Trades Council.

Harry A. Van Arsdale Jr., chairman of the association and president of the City Central Labor Council, said the group had not yet committed itself to support any Mayoral candidate among the three Democrats and two Republicans who are running.

He added that a decision would be made in the next few days and that the new party would seek endorsement of its ticket at a meeting of the labor council next Friday.

All fifteen labor leaders are from the American Federation of Labor and Congress of Industrial Organizations, except John J. O'Rourke, president of Joint Council 16 of the International Brotherhood of Teamsters.

Balance of Power Hinted

The total membership of unions in the City Central Labor Council is 1,000,000, and the Teamsters Union joint council, 165,000. Mr. Van Arsdale was asked if he believed that the voting strength of these organizations might give labor the balance of power in the election, he smiled and replied:

"You said it; I didn't."

He said that the party's emphasis would not be on the candidate as much as on "serving the interests of all wage-earners and other citizens generally interested in a better city."

The party, Mr. Van Arsdale said, soon will establish permanent headquarters and seek financial support in $1 and $2 donations from union members and the public.

Asked if he felt that the Liberal party, a state political organization, had not served the interests of labor, he replied that it had served "well" the interests of its members.

The Liberal party draws most of its support from the International Ladies Garment Workers Union and the United Hatters, Cap and Millinery Workers. It has endorsed Mayor Wagner for re-election and Deputy Mayor Paul R. Screvane for President of the City Council.

Alex Rose, vice chairman of the party, commented favorably last night on the Freedom party.

"Every effort to involve workers in independent political action is good for labor and good for the community as a whole," he said.

3/e 1961

GENERAL

Justice Dept. Still Looking Into Voting Irregularities

The News & Courier Charleston, S.C.
Thurs. 1-5-61

WASHINGTON (AP)—The Justice Department's Civil Rights Division has announced it is still looking into alleged Nov. 8 voting irregularities in Illinois, Texas and Tennessee.

P. 6-C

The head of the division, Asst. Atty. Gen. Harold R. Tyler Jr., said this in a year-end report to Atty. Gen. William P. Rogers.

He disclosed also that prosecutions have been authorized in some areas where anonymous political literature was circulated in connection with contests for federal office. Tyler declined to identify these areas pending the filing of formal charges.

The Justice Department announced last week that a federal grand jury in Chicago had indicted two Democratic precinct workers on charges of vote buying in the general election. The indictment alleged that the inducement ranged from $1 bills to free dinners.

34e

Tyler said Tuesday the FBI is now investigating complaints of vote buying in San Antonio and Houston, Tex., and that another investigation is going forward into reported "ghost voting" at Milan, Tenn. The Civil Rights Division received complaints that the total Nov. 8 vote there exceeded the adult population.

Most of Tyler's report dealt with division activity during 1960 in seeking to protect Negro voting rights in Southern states.

The report said the Supreme Court had sustained the government in four "vital voting rights cases" brought under the 1957 Civil Rights Act. It noted that "all lower court tests of the 1960 act have also been decided in favor of the United States."

Rights Urges Curb To Protect Negro Vote

Journal and Guide
Norfolk Va.
Sat. 1-7-61
P. 15

Says Threat Of Loss Of Seats Would End Poll Discrimination

34e

Gerstel

By STEVE GERSTEL
United Press International

WASHINGTON — Gordon M. Tiffany, staff director of the Civil Rights Commission, said on Friday that Southern states which bar Negroes from the polls should be penalized by losing seats in the House of Representatives.

The reduction in congressional representation, he said in a report submitted to President Eisenhower and President - elect John F. Kennedy, should be in direct proportion to the number of Negroes disenfranchised in each state.

TIFFANY is a former attorney general of New Hampshire, who has served as staff director of the Civil Rights Commission since it was formed in 1958. He will leave this post Jan. 20, when the change of administration takes place. His successor has not been named.

This proposal was made as a personal recommendation. It went far beyond anything the commission itself recommended in its latest report.

HE SAID that Negroes denied the right to vote should be subtracted from a state's total population and that the should be re - apportioned on that basis.

'under such a system it would be extremely difficult for discrimination to exist," Tiffany said. 'for it would become politically infeasible and impractical.

"**IF STATE** officials knew that the number of seats their state would hold in the House would be reduced to the extent they denied the right to vote on account of race, such practices, would be discouraged.'

Tiffany also said that civil rights has been "a White House orphan" since the departure of presidential aide Sherman Adams and two other Eisenhower aides.

HE SAID the departure of Adams, and the secretary of the cabinet Maxwell Rabb, and personnel management expert Rocco Siciliano "marked a subtle change in attitudes about civil rights problems."

Tiffany said Eisenhower's personal interest in the civil rights field never wavered and added that there never existed a "void of leadership."

RATHER, he said, the decreasing lack of interest in the White House may have been due to increasing demands in other fields.

Why One Vote South Equals Five North

Justice Department's Mississippi Vote Probe Suit Is Blow At System Responsible For South's Strangle-hold On Congress

- Study show Mississippi's colored population is over 1,000,000, but Governor says only 8,000 eligible to vote.
- Rights Commission details tactics registrars employ to prevent registration of colored.
- Army veterans, teachers and professional people unable to pass tests given by registrars, but whites unable to read have no difficulty.
- Election of Senators and Representatives from Mississippi to Congress shows why a single vote in South equal almost five votes in North.

By SAMUEL HOSKINS

WASHINGTON

The U.S. Justice Department, last Wednesday, filed a suit in Federal District Court, Northern Mississippi District, to open the voter registration rolls in Bolivar County for inspection by the FBI.

The suit, which is likely to be heard by Federal Judge Claude F. Clayton of Aberdeen, Miss., was filed after the county registrar refused to open the rolls.

The FBI also is seeking to inspect voting records in another Mississippi Delta county, Leflore.

Why the refusal?

WHAT IS THE significance of this Justice Department suit?

Regarding Bolivar and Leflore counties, the answer to reluctance of registrars to open voting records for FBI inspection is revealed in the report filed with the President in 1959 by the U.S. Civil Rights Commission.

It is this: —

In Bolivar County, 69 percent, 21,805, of the voting-age population is colored, but only 511 are registered.

Leflore County, 68 percent of the voting-age population, 17,893, is colored; registered, 297.

WHY THE low registration?

Residents told the rights commission that when they tried to register, they were given application blanks and told to write a section of the Mississippi Constitution.

Further, they were directed to write "a reasonable interpretation" of the section of the constitution which they had written.

Having done this, the applicants were refused registration because they were advised, "Your replies won't do."

Mississippi is one of the five states which require payment of a poll tax as a prerequisite to voting. (The others: Alabama, Arkansas, Texas and Virginia.)

SOME OF the applicants reported that when they tried to pay the poll tax, their money was refused.

In Bolivar County, an Army veteran told the commission he tried to register and was told by a female clerk that she "didn't have time" to register him.

Advised to leave his name and address, he was told to return later.

Less than two hours after he got home, two men came to his door and asked him why he wanted to register. The ex-technical sergeant told them: "It's my duty."

The two men told him he was trying to "stir up trouble" and warned him not to try again.

* * *

IN FORREST COUNTY one applicant told of trying to register on 16 different occasions — twice a year for eight years.

On the last occasion the applicant asked the registrar if there was any reason for these continued refusals. The registrar replied that there was no reason.

A minister with two degrees from Columbia University, a former registered voter in New York City, told of trying to register in Forrest County.

Asked if he was a member of the NAACP, the applicant replied that he was. The clerk retorted that the NAACP was a communistic organization and the applicant "probably was one of them."

"That means you are not going to register me?" asked the applicant.

"You are correct," replied the clerk.

* * *

ANOTHER APPLICANT who asked the whereabouts of the registrar was told to "register at the YMCA."

Still another when attempting to register was asked a variety of questions such as:-

"What is meant by due process of law?"

"What is class assessment of land."

Needless to state, the registrar was not satisfied with any of the answers.

A CLASSIC example of evasive tactics employed by Mississippi registrars is reported from Clarke County where 41 percent of the voting-age population is colored, but none registered.

The registrar refused to register a number of applicants by saying that they should "watch the papers and see how the mess in Little Rock and the mess in Washington worked out.'

The refusal to permit colored to qualify as voters is not confined to the counties mentioned here. The situation applies to the entire state.

* * *

THE 1950 U.S. census shows colored comprising 45 percent of the state's population, or some 990,000. Conservative estimates now place the total at well over 1,000,000.

Despite this fact, in 1957 then Gov. James P. Coleman testified before a subcommittee of the House Judiciary Committee that only 8,000 colored were eligible to vote in the 1955 primary.

Of this number, only 7,000 —for one handicap or another —actually cast ballots, Coleman estimated. He said approximately 411,000 whites voted.

* * *

THE POLL TAX, refusal to permit the participation of colored and a number of other lesser handicaps have a devastating effect on Mississippi's election machinery.

Connecticut has a few hundred thousand less population than Mississippi.

However, in the 1956 Presidential election Connecticut cast 1,117,121 votes for Presidential candidates while Mississippi cast only 248,000.

This means a vote in Mississippi is equal to almost five votes in Connecticut.

* * *

IN 1958 Mississippi's junior senator, John C. Stennis, was elected to the U.S. Senate with only 61,039 votes.

The vote in 1954 for Mississippi, James O. Eastland was only 100,848.

Neither the vote cast for Stennis or Eastland would elect a candiate in any of the more populous Congressional Districts of such states as New York, New Jersey, Pennsylvania, Michigan, Illinois or California.

THESE COMPARISONS explain why Representatives and Senators from southern states where colored are disfranchised, and to a great extent the whites, are returned to Congress year after year.

This is why, due to the senority system, the southern delegation has control of most of the important Congressional Committees and are able to block legislation southerners oppose, such as effective civil rights bills.

This out-of-balance representation given southerners in the Congress also explains their fanatical opposition to liberalization of Senate Rule XXII, the filibuster rule.

And such is the significance of the recent vote suit the Justice Department filed in Mississippi.

2 Important Rights Cases Filed By FBI

Special Correspondence

WASHINGTON, D. C. —The Federal government is pressing its action in civil rights cases in the Deep South, with suits having been filed during the past few days in Louisiana and Alabama.

The action in Louisiana charges 11 white businessmen with using "a serious coercion" against a colored farmer who testified at a Civil Rights Commission hearing last September. The Alabama action accused officials of Bullock county, of discriminating against prospective colored voters.

OUT-GOING Attorney Gen. William P. Rogers said the Louisiana action was filed in U. S. District Court at Shreveport against East Carroll Parish, La., residents.

The complaint accuses the defendants of refusing to gin cotton for farmer Francis Joseph Atlas, 56, of Lake Providence, and of using other forms of economic coercion against him after he testified at a New Orleans hearing Sept. 27-28 on his unsuccessful efforts to become a registered voter.

THE COMPLAINT alleges that John Gilbert, sheriff of East Carroll Parish, told Mr. Atlas that the cotton ginners of the area would no longer process cotton for him after his testimony.

The coercion was applied, according to the government, for the purpose of discouraging Atlas and other colored residents from trying to become voters or give information to the Civil Rights Commission.

THE 11 individuals, and a like number of corporations in Carroll County, are charged with violating the 1957 Civil Rights Act which prohibits economic pressure against a citizen attempting to exercise his voting rights.

Atlas is the father of 12 children and is active in community affairs.

ATTORNEY General William P. Rogers, said, the Alabama complaint attacked the system of "vouching" for voters used widely in the South.

The suit names the State of Alabama and Bullock County registrants and charges discrimination through the board's practice of requiring applications for voting registration to be supported by two persons previously registered.

THE JUSTICE Department said 2,200 white voters were registered in Bullock county at the present time, but only five Negroes. There are approximately 7,500 persons of voting age in the county, including 5,000 Negroes and 2,500 whites.

Besides requiring the vouchers of two registered voters, the Government alleges, the Board of Registrars also restricts Negro voting by limiting a registered voter to no more than [illegible] vouchers a year.

Rev. King Vows Voter Stand-Ins

(Copyright 1961 By The New York Times Co.)

MIAMI BEACH, Fla.—An Atlanta integrationist leader revealed here Wednesday that an intensive drive will be started soon to double in the next two years the number of Negroes registered to vote in the South, 1,300,000 at present.

Dr. Martin Luther King, here to address a convention of the Luther League of the American Lutheran Church, a predominantly white organization, said at a press conference that stand-ins at voter registration offices will be used in the campaign.

NEW ACTION

The Baptist minister said the stand-ins will be in addition to present sit-ins at restaurants, wade-ins at beaches and kneel-ins at churches, all part of the non-violent arsenal of the integrationists.

He added that there are 5,000,000 Negroes in the South who are eligible to vote, but many are intimidated, particularly in rural areas.

Dr. King also criticized President John F. Kennedy because he has "failed to come through with certain promises made prior to his election" in the field of new civil rights legislation.

TEETH IN RULES

He said the current Interstate Commerce Commission hearings will be meaningless unless the ICC adds teeth to its rules and imposes sanctions against both bus companies and bus terminals that maintain segregation.

But he commended the President for his appointment of Negroes to high governmental posts, his efforts against discrimination in employment and the activity in the Justice department on Negro voting rights.

"Until America can grant full freedom to all citizens it will never rise to the heights of a Democratic and Christian nation," Dr. King maintained.

King Outlines Mass Negro Voter Push

MIAMI BEACH, Fla. (AP)—An intensive campaign to double the Negro voter registration in the South was announced Wednesday by Dr. Martin Luther King.

The Negro leader told a news conference that before long thousands will stage "stand-ins" at places where Negroes have not been permitted to register.

There are 1,300,000 Negro voters registered in the South, and five million are eligible, the Atlanta Baptist minister said.

Sit-ins, wade-ins and kneel-ins will continue, King said, until segregation is ended at lunch counters, swimming places and churches.

RURAL PUSH

"Our massive drive to get Negroes registered and voting will include rural regions in the Deep South where Negroes may confront reprisals," King said.

The Negro leader, here to address a Luther League convention, also made these points:

1. President Kennedy has "failed to come through on his pre-election promise of civil rights legislation. We need such legislation." The President however has taken other significant steps to further civil rights.

2. Massive resistance to segregation will end in four or five years, urban centers will be desegregated in 10 years, and there will be a "truly desegregated society" by the end of the century.

CHURCH ROLE

3. Churches have not done all they can in the area of social justice, but we see some signs of change. The church has a nagging conscience on this issue and that indicates it will take a bigger stand."

4. "Housing segregation is still a glaring reality in the North. Economic segregation also remains a big problem there."

5. Efforts will be concentrated on attaining school segregation. "So far there has been only token integration in the South."

6. There are three Souths: "The South of hard core massive resistance including South Carolina, Mississippi, Alabama, Louisiana and Georgia, the South of resistance such as North Carolina, Tennessee, Florida, Texas and Virginia, and the South of compliance, such as Oklahoma and Kentucky."

NEGRO VOTE DRIVE TO USE 'STAND-INS'

King Tells of Plans to Double Registration in the South Over the Next 2 Years

Special to The New York Times.

MIAMI BEACH, Aug. 16—A program of "stand-ins" at registration points will be started soon in the South, the Rev. Dr. Martin Luther King Jr. said here today.

The goal will be to double in the next two years the 1,300,000 southern Negroes now registered to vote.

"In the not-too-distant future there will be thousands of Negroes standing at places where they have been denied the right to register," the integration leader said.

Dr. King, here to address a convention of the Luther League of the American Lutheran Church, a predominantly white group, told of the plan at a news conference.

He said that there were 5,000,000 Negroes in the South who were eligible to vote, but many were intimidated, particularly in rural areas.

Later, addressing 14,000 teenagers at the Luther League Convention at Miami Beach Convention Hall, the Rev. Dr. King said, "the salvation of the world lies in the hands of the 'maladjusted.'"

The Negro leader said the hope of the world and America was dependent on those who refused to adjust to the inequalities and injustices of the world.

"The world in which we live is a neighborhood as a result of scientific advancement," he said. "Now we face the moral responsibility to make it a brotherhood."

"We must learn to live together as brothers or die together as fools."

"The challenge facing the individual is to se that Negroes are not excluded from your neighborhood, a job a firm in your town because of his race, or from your fraternity," Dr. King said.

He reminded his audience that the church itself remained "the most segregated major institution in America."

At his press conference, Dr. King said President Kennedy had "failed to come through with certain promises made prior to his election" in the field of new civil rights legislation.

He said the current Interstate Commerce Commission hearings on bus travel would be meaningless unless the commission established penalties for both bus companies and bus terminals that maintained segregation.

Commends President

He commended the President for his appoitnment of some Negroes to high governmental posts, his efforts against discrimination in employment, and the activity in the Justice Department on Negro voting rights.

"Until America can grant full freedom to all citizens it will never rise to the heights of a democratic and Christian nation," he said.

Dr. King observed that "we are seeing the last days of 'massive resistence' to integration."

"It is moving toward its last days in the few states, such as Mississippi, Alabama and South Carolina, where it still exists," Dr. King said, and continued:

"In ten years all major urban centers in the United States will be desegregated.

"By the end of the century we will have a truly desegregated society."

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U.S. WINS ROUND ON NEGRO VOTE

Trial Points Up Intricate Means That Are Used to Limit Ballot

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, April 1—With the Senate's confirmation this week of Burke Marshall as the new assistant attorney general for civil rights, the way is clear for a full-scale attack by the Kennedy Administration on voting discrimination.

The need for Federal action is hard to dispute. Only 25 per cent of voting-age Negroes in the South are registered, as against 60 per cent of the whites, and in rural areas the percentage of qualified Negro voters sinks to zero.

Nor are tools lacking. The Civil Rights Acts of 1957 and 1960, confined largely to the voting problem, have given the Justice Department substantial power to investigate and act against racial discrimination at the ballot box.

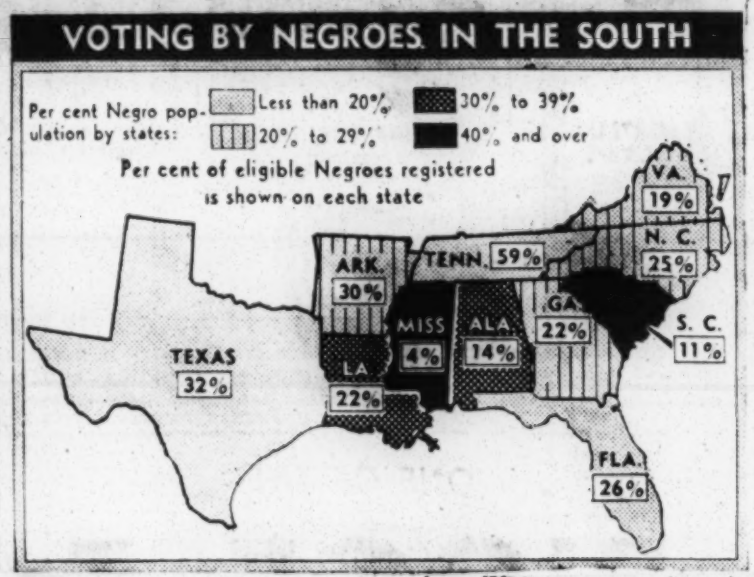
But no one should get the idea that it will be easy to open the way for the Negro to participate in the political process throughout the South. There is determined, unrelenting resistance on the part of white citizens and officials in some areas, and passing a law does not make the resistance disappear.

Graphic Picture

A case just decided gives an unusually graphic picture of the techniques used to block Negro voting, and of the difficulty of overcoming such tactics. Two weeks ago yesterday Federal District Judge Frank M. Johnson Jr. gave the Justice Department a sweeping victory in a suit against Macon County, Ala., registrars and the state of Alabama.

What follows is a case history of the voting situation in Macon County, drawn from the records of the lawsuit. All quotations are from Judge Johnson's opinion and decree.

Macon County includes the city of Tuskegee, home of the famous Negro educational institute. The population is overwhelmingly Negro—22,300 of a total of 26,700. Only 1,133 Negroes, fewer than 10 per cent of those of voting age, are registered. The books show 3,105 whites registered, although the census listed only 2,818 of voting age.



A three-member board of registrars is supposed to qualify voters in the county. But during the last five years, as Negroes sought to register, the members repeatedly resigned. No board operated during more than half that time.

During the months of 1960 when there was a board, it met most of the time in rural areas, where it "knew the demand for Negro registration was slight," and it met hardly at all in Tuskegee.

When it did have Negro applicants, the board engaged in what Judge Johnson called a "slowdown." It would receive applications only one at a time, dealing with each painstakingly. During the whole of 1960 it permitted only fifty persons to complete applications. (Thirty-nine were registered — thirty-one white and eight Negro.) In explanation of the slowdown the registrars offered "puny excuses such as lack of facilities and too much paper work."

'Waiting List'

The board of registrars made up "appearance sheets" listing the persons waiting to apply. White persons invariably were put at the top, even though Negroes had been waiting longer. For example, on June 20, 1960, while many Negroes were waiting at the courthouse, one of the registrars drove up with two white applicants and put them at the head of the waiting list along with five other whites. The waiting list now numbers 400 persons, almost all Negro.

Each new registrant had to have a registered voter "vouch" for him, and the Macon County registrars adopted an alleged rule that no person could vouch for more than two new voters a year. But evidence showed that the board allowed white persons to vouch for three applicants in a single day.

All Negro applicants were required to copy sections of the Constitution — most often the lengthy Article II. One woman who applied five times wrote, in all, twenty-one handwritten pages. White applicants were asked to copy shorter passages of the Constitution or none at all. For example, in two months of 1957 forty-eight white applicants were given no writing test; all were registered.

Most of the Negroes in the county live in Tuskegee, and many work for either the institute or a veterans hospital there. "A large majority of them have college or high school educations," but the "discrimination against these Negroes has been so effective that many have been unable to qualify as voters while many white persons who have not even finished grammar school have been registered."

One reason uneducated whites qualified is that registrars or others filled out their forms for them. Some of these white voters admitted on the witness stand that they could not read or write. Some of the whites were sought out in their own homes and registered there.

Last, and surely not least, the board did not tell unsuccessful Negro applicants why they had failed. Examination of the board's records showed at least ten Negroes who had filled out apparently perfect forms—even by the board's standards—but had been rejected without explanation. In those circumstances they hardly knew what to do next.

Began in 1958

The Federal Government's interest in Macon County voting discrimination began in December, 1958, when the Civil Rights Commission held a hearing in Alabama. The Macon County registrars refused to testify and then resigned.

On Feb. 7, 1959, the Justice Department filed suit. Within a week the State Legislature rushed through a bill allowing registrars to destroy their records; a quick court move stopped this tactic.

The Government lost the case in two lower courts, on the ground that the registrars' resignation left no one to sue. Before the Supreme Court acted, Congress in the 1960 Civil Rights act plugged this hole. Finally the case came to trial and Judge Johnson made his decision. These were his major commands:

Sixty-four named Negroes must be registered at once.

The registrars must meet at least two days a month in Tuskegee, accept applicants in the order they appear, examine them at least six at a time and remain open from 9 to 5.

No applicant may be required to read and write a portion of the Constitution longer than fifty words.

Any voter may vouch for any number of applicants.

Within twenty days of examining an applicant, the board must tell him by mail whether he has been registered and if not, why not.

The board may not refuse to register any Negro "whose performance in attempting to qualify is equal to the performance of the least qualified white applicant ever registered.

In addition, Judge Johnson directed the board to report to him on its progress once a month until further notice. He asked the Justice Department to file similar reports and he ordered the registrars' books and records kept open to Federal agents. He told the Justice Department to be ready to bring any necessary contempt proceedings and to give him the names of possible Federal voting referees in case they are needed to replace the registrars.

Largest Victory

All that adds up to the most complete victory ever won by the Federal Government in a voting case. But without minimizing the significance of the case, one may point out that it hardly promises an overnight change in the voting practices of the South.

Macon County is just one of thousands of counties in the South. This one case took over two years of persistent resourceful work by many Justice Department lawyers and investigators and there still will be an appeal. Altogether, the department has brought only six voting cases since 1957 — four concluded, two still pending. Clearly, there is a great deal more to be done.

Morton Urges GOP To Woo Negro Votes

WASHINGTON (AP) — Republican National Chairman Thruston B. Morton said Friday his party must not only cultivate the Negro vote with vigor, but should bring more people from minority groups into the party organization.

This is needed, Morton said, if the party is to improve its ratio of the big city vote.

Morton joined with GOP State Chairmen L. Judson Morhouse of New York and Ray C. Bliss of Ohio in saying the GOP must not write off the Negro vote.

Morhouse, in a memorandum filed with a 14-member national committee subcommittee studying the big city problem, took issue with Sen. Barry Goldwater, R-Ariz. He quoted Goldwater as saying the party should quit trying to win Negro and other minority groups and concede it can't get them as a bloc.

MORE SUPPORT

The New Yorker said the GOP should go all out in organization efforts and become "soundly progressive" to attract greater Negro support.

Morton and Bliss gave their comments at a news conference during a brief recess of the big city study group. Bliss is chairman of the group and Morhouse a member.

Asked about Morhouse's criticism of the avowedly conservative Goldwater, Morton said he does not accept the statement that the party should forget the Negro vote.

"We should cultivate the Negro vote assidiously," Morton said.

Asked if studies indicated the party could make gains by writing off the Negro vote, Bliss said, "As a political party you don't write off any vote."

Morton said one fact illustrates the party's problem: In 1960 President Kennedy piled up a vote margin of 2.7 million votes in just 12 big cities.

U.S. steps up equal vote drive

WASHINGTON

A suit by the U.S. Department of Justice to halt discriminatory practices against colored persons seeking to register as voters spearheads a multi-pronged drive in four Southern states to increase registration.

The states affected are Alabama, Louisiana, Mississippi and North Carolina.

In Alabama, two counties are involved, Bertie and Dallas, where colored persons outnumber white.

The suit against Dallas County was filed April 13 in Mobile, Ala. It charges that colored citizens in the county are deprived of their voting rights because of their race.

* * *

IN ANNOUNCING filing of the suit, Attorney General Robert F. Kennedy said:—

"This is the first voting case that we have filed. We attempted to work this out with officials in Alabama but were unable to do so. Where there is failure to have voluntary compliance by local authorities, we will seek legal action as we have done in this case.

"It is very important that all citizens have a right to vote regardless of race, creed or color."

The defendants are the State of Alabama and S. P. Major of Safford, Dallas County registrar.

United States District Judge Daniel H. Thomas set a hearing for 10 a.m., May 29, in Selma.

* * *

ABOUT 9,195 of 14,400 white citizens of voting age in Dallas County are registered, while only 156 of 15,115 eligible colored persons are registered, the complaint said.

The complaint asserted that colored persons have been discriminated against in five ways:

(1) — More difficult registration application standards have been applied to colored persons than whites;

(2) — Colored citizens have been unreasonably delayed;

(3) — Qualified colored persons have been denied registration;

(4) — Colored applicants have not been notified of decisions by the Board of Registrars on their applications;

(5)—The defendants have failed to provide a full-time operating board of registrars, a state agency, "knowing that the vast majority of colored persons of voting age in the county have not yet become registered voters" while the vast majority of eligible whites were registered.

* * *

SINCE LAST Nov. 30, Mr. Majors has been the only member of the board, the complaint said. Two positions which became vacant at that time have not been filled and the board has failed to function, the complaint asserted.

The suits asks the following:—

(1) The court to order that Alabama appoint and maintain a functioning three - man board and to require that all qualified colored persons be permitted to register and vote.

(2) Find that the voting deprivation has followed a "pattern and practice."

Under the Civil Rights Act of 1960, such a finding would permit appointment of voting referees by the court.

(3) Enjoin the giving of different or harder voter qualification tests to colored citizens than to whites.

(4) Require the registrars to notify all registration applicants of the disposition of their applications within two weeks.

SIMULTANEOUS with the filing of the complaint, the Department of Justice applied for an order permitting department lawyers to inspect and copy all registration records of the board of registrars since Jan. 1, 1952. The records are at Selma, the county seat.

An affidavit supporting this discovery motion asserted that since 1952 at least 75 colored persons have sought to register and taken registration tests. Some applied more than once. However, none received registration certificates nor were they told why by the board of registrars.

Of the 75, Mr. Kennedy said, at least 28 have college degrees and at least 28 are high school graduates.

IN JEFFERSON County, Justice Department agents are investigating complaints that colored voters are being discriminated against in Birmingham.

Agents conferred an hour and a half, last Wednesday, with State Attorney General MacDonald Gallion and three members of the county board of registrars.

They asked to see voters registration records, but Gallion said they were permitted only to see rejected applications on file.

A court order for the agents to examine all the records may be obtained, it is reported, if the efforts of the department are in anyway hampered.

IN NORTH CAROLINA, the State Supreme Court ruled last Wednesday that the literacy tests in Bertie County are unfairly administered.

The decision was in the case of Mrs. Nancy Bazemore, 47, who filed a complaint during May, 1960, after the board refused to register her.

The court stated: "Excessive reading and writing may not be required. Writing from dictation is not a requirement. The test may not be administered so as to discriminate between citizens."

The vote action in Louisiana involves a complaint by A. P. Tureaud, NAACP attorney, that colored voters in St. Helena Parish were unjustly dropped from the registration list.

THE PARISH IS to hold a special "school closing" election April 22, designed to block anticipated school desegregation.

The three - judge Federal Court refused April 7 to block the election, but instructed the NAACP attorney to file a brief challenging the constitutionality of the state's school closing law and whether a parish can legally deny schools to children, even though a community may approve such closing.

The action in Mississippi is an investigation by federal agents of reports that three counties in the state are illegally hampering the registration of colored.

The counties are Forrest, Madison and Walthall. Agents also have requested to see voting records in Bolivar and Leflore counties.

Seek Votes Of Negroes, Morton Says

Party Must Improve Big-City Percentage

Washington, March 17 (AP)—Republican National Chairman Thruston B. Morton said Friday that his party must not only cultivate the Negro vote with vigor, but should bring more people from minority groups into the party organization.

This is needed, Morton said, if the party is to improve its ratio of the big-city vote.

Morton joined with G.O.P. state chairmen L. Judson Morhouse of New York and Ray C. Bliss of Ohio in saying the G.O.P. must not write off the Negro vote.

Differs With Goldwater

Morhouse, in a memorandum filed with a 14-member national committee subcommittee studying the big-city problem, took issue with Senator Barry Goldwater (R., Ariz.). He quoted Goldwater as saying the party should quit trying to win Negro and other minority groups and concede it can't get them as a bloc.

The New Yorker said the G.O.P. should go all out in organization efforts and become "soundly progressive" to attract greater Negro support.

Morton and Bliss gave their comments at a news conference during a brief recess of the big-city study group. Bliss is chairman of the group and Morhouse a member.

GOP MUST WOO NEGRO--MORTON

Go After Minority Vote with Vigor, He Urges

By D. HAROLD OLIVER

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HITS GOLDWATER VIEW

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'CULTIVATE NEGRO'

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SEN. THRUSTON B. MORTON
Says GOP needs minorities.

ing off the Negro vote, Bliss said, "As a political party you don't write off any vote."

Morton said one fact illustrates the party's problem: In 1960 President Kennedy piled up a vote margin of 2.7 million votes in just 12 big cities.

"That won't happen again," he asserted.

Heritage Foundation Says

20 Million Unable To Vote

By STEVEN GERSTEL

WASHINGTON — (UPI) — The American Heritage Foundation said Tuesday that nearly 20 million potential American voters — including at least 1.7 million southern Negroes — were unable to cast ballots in the 1960 presidential election.

The foundation's figures were included in a pamphlet put out by an organization named "The Center of Information on America" to support its campaign for a revision of "horse and buggy" election laws.

The foundation said 19.6 million of the 104 million Americans of voting age couldn't cast ballots because of voting restrictions or for other reasons.

It said its figures on how many southern Negroes did not vote was a modest estimate based on findings by the Civil Rights Commission. It said Negroes were barred by "rigged literacy tests, poll taxes, various social pressures, etc."

The non-voters included eight million who couldn't meet residence requirements, five million who were kept away from the polls by illness or old age, and 2.6 million who were out of town on election day.

The rest included 800,000 barred by literacy tests in 25 states; 500,000 residents of the District of Columbia; 500,000 citizens living abroad; 215,000 convicts; and 225,000 Jehovah Witnesses preaches.

The foundation said states which make it easier to vote showed a better turnout at the polls. It cited Idaho as an example.

Mississippi ignored election day more than any other state. Only 25.63 per cent of the state's voting age population went to the polls.

North Carolina had the best percentage of the southern states-54.3-but it was still lower than any non-southern state in the nation.

Other states, in inverse order of voting turnout, were Alabama, 30.9 percent; Georgia, 31.3 per cent; South Carolina, 31.5 per cent; Virginia, 34.3 per cent; Arkansas, 41.6 per cent; Texas, 43.3 per cent; Louisiana, 45.6 per cent; Florida, 49.8 per cent ,and Tennessee, 50.5 per cent.

Voter Percentage Poorest In State

WASHINGTON (UPI) — Three out of every four Mississippians of voting age didn't vote in the 1960 elections.

And the rest of the South was almost as hesitant to help decide the race between President Kennedy and former Vice President Richard M. Nixon.

Figures compiled by the American Heritage Foundation, printed in a pamphlet by the center for Information on America, showed that the old Confederacy posted the worst voter turnout in the nation.

Mississippi had the worst record. The foundation said that of 1,163,000 persons of voting age, only 298,171 cast a ballot. That was a percentage of 25.6.

North Carolina had the best percentage of the Southern states —54.3—but it was still lowert han any non-Southern state in the nation.

The national average, as compiled by the foundation with the Bureau of the Census, was 64.3 per cent.

The other states, in order of lack of enthusiasm for voting, were Alabama, 30.9 per cent; Georgia, 31.3 per cent; South Carolina, 31.5 per cent; Virginia, 34.3 per cent; Arkansas, 41.6 per cent; Texas, 43.3 per cent; Louisiana, 45.6 per cent; Florida, 49.8 per cent and Tennessee, 50.5 per cent.

More persons voted in Idaho, which had the best voter record, than in Mississippi although Mississippi has more than four times as many people of voting age.

The foundation listed several reasons for the lack of voters in the Southern states.

It said that 1,175,000 Negroes in the South were barred "by rigged literacy tests, poll taxes, various social pressures, etc." The foundation called this a "modest" estimate based on findings by the Civil Rights Commission.

The foundation also noted Mississippi, Alabama and South Carolina have strict residence requirements which bar persons who have not lived in the state for two years and those who have not lived in the election district one year.

Four of the Southern states—Alabama, Louisiana, Mississippi, and South Carolina, do not permit absentee voting by mail. The only other state which applies this restriction is New Mexico.

Five of the Southern states—Alabama, Arkansas, Mississippi, Texas, and Virginia—are the last to have poll taxes. In addition, the foundation said, the payment of poll taxes must be made months in advance of the election when interest is at its lowest.

"True these states have a high illiteracy rate," the foundation said, "but they also have the most formidable literacy tests."

It said Mississippi's literacy test is a "subjective test that is not discrimination-proof."

VOTE REVERSAL KEY TO BE GOAL

GOP Study Units to Go to 14 Major Cities

By D. HAROLD OLIVER

WASHINGTON (AP)—The Republican National Committee will send study groups of 14 major cities to find out how to cut down big Democratic metropolitan pluralities in future elections.

This was made known along with news that a special GOP committee headed by Ohio state Chairman Ray C. Bliss will meet here March 17-18. The group was created last month to chart ways to reverse the Democratic vote in the big cities that helped put President Kennedy in the White House.

The Bliss committee, Albert B. Hermann, national committee campaign director said, will look into such things as the character of city populations and the structure of Republican organizations.

Particular attention will be given to whether city organizations have sufficient members from minority and nationality groups to contact large numbers of voters in such groups.

Hermann said, for example, that 65 per cent of Philadelphia's voters are non-Anglo Saxon, yet only 10 per cent of persons trying to rebuild the city organization are non-Anglo Saxon. The latter figure, Hermann said, should be at least 50 per cent.

While nearly all large cities will be studied to determine where the GOP structures were weak in the 1960 campaign, Hermann said study staffs will concentrate on Boston, New York, Newark, Philadelphia, Pittsburgh, Cleveland, Chic Detroit, St. Louis, Kansas City, San Francisco, Los Angeles, Milwaukee and Buffalo.

All these cities were carried by the Democrats last November by margins ranging from 21,000 in Kansas City to 790,000 in New York City.

Low Mark Given Mississippi Vote

Three Out Of Four Of Age Did Not Cast Ballots, Foundation Says

WASHINGTON, March 7.— Three out of every for Mississippians of voting age didn't vote in the 1960 elections.

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Barring Of Negroes Seen

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Hearing Postponed On Voting Cases

WASHINGTON, D. C. —The U. S. Commission on Civil Rights has postponed its March 22 - 23 hearings into alleged denials of the right to vote in Louisiana it was announced by Acting Director Berl I. Bernhard.

In discussing the postponement, Mr. Bernhard said: "The Commission has decided to postpone the hearings due to the inability to have a quorum present in New Orleans on March 22 and 23."

Mr. Berhard said the new date for the hearings will be determined later by the commissioners.

ATTACK ON RIGHTS RAPPED BY COURT

By GROVER C. HALL JR.
Editor, The Montgomery Advertiser
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., Jan. 28—The state's hammer continued to chip and flatten last week as its blows fell upon the federal anvil.

In New Orleans a three-judge appellate court composed of Elbert Tuttle of Atlanta, Warren Jones of Jacksonville, Fla., and Sidney Mize of southern Mississippi rejected Alabama's attack on the constitutionality or the 1960 U.S. Civil Rights Act.

Alabama had challenged a lower court's ruling that federal investigators had the right to inspect voter registration records in Montgomery. The appellate court flattened the state's contention with a single paragraph:

"The judgement of the trial court . . . is hereby affirmed on the basis of the well-reasoned opinion of the trial court."

In the same 24-hour period a federal district judge in Birmingham, H. Hobart Grooms, dissolved the injunction of a state circuit court judge that denied to federal agents the right to examine Sumter County voter registration records.

THE STATE JUDGE, Emmett Hildreth, had enjoined the agents last June. The ruling of the federal judge was that:

- Voter records must be exposed to agents in quest of evidence that there was racial discrimination in refusal to register.
- Dissolved the state injunction in terms of superior federal law.

The state's attorney general, MacDonald Gallion, dusted himself off and made what is getting to be a fashionable statement by state resistance leaders:

"We have no alternative but to obey the mandate of the federal court, distasteful though it may be."

* * *

GALLION ADDED reflectively:

"The fault lies not so much with the federal district court but with the U.S. Supreme Court, whose orders and mandates the district judges must follow."

Sumter County is rural territory on the Mississippi line. The Justice Department contended last June that there were 8,700 Negroes of voting age in the county but only 175 registered to vote. There are now about 300 registered Negro voters out of a total of 9,500 voters.

* * *

President Kennedy named Commander Tazewell Taylor Shepard Jr., son-in-law of U.S. Sen. John Sparkman, **to be his naval aide.** Shepard was born in Mobile. . . . A heckler at a Montgomery meeting of a mental health institute **was the constant candidate and retired admiral, John Crommelin. He arose to ask if it were not so that homosexuals wear yellow ties as a means of communication.** . . . Gov. John Patterson **abandoned affairs of state to drive 100 miles to Birmingham to have his dentist relieve a toothache.** . . . Tommy Baker of Dothan, a disabled veteran unfit for National Guard membership, **was among six imprisoned in Havana as a counter-revolutionary.**

ALABAMA

BRIEFLY . . .

The 'Silent Gerrymander'

Early this century Lincoln Steffens wrote a widely discussed book called "The Shame of the Cities." It dealt with the corruption of machine politics in major municipalities of the United States. The era which produced Boss Tweed and later Penrose, Hague and Pendergast left a deep impression on American voters.

In that period and to some extent yet, the state legislatures, dominantly representative of rural areas, operated as a check on mismanagement of municipal affairs. And the mental picture of the farmer as a citizen of sturdy and simple virtues helped to preserve the dominance of small villages in state affairs.

But with seven out of ten Americans living in urban areas, the persistence of old apportionments for membership in state legislatures gives rural districts a representation far out of proportion to their population—or, put conversely, makes the vote of a country dweller many times more influential than the vote of his city or suburban cousin.

Constitutions of 45 of the states theoretically require reapportionment of one or both houses of their legislatures every 10 years to adjust for shifts of population. But probably fewer than half have obeyed this requirement in the last 20 years. Usually the legislature, which has a vested interest in the old apportionment, and sometimes worsens it, is left to make the new one.

The United States Supreme Court this month will hear arguments in which residents of urban areas in Tennessee, aided by the Justice Department, argue that they are deprived of "equal protection of the laws" by failure of the Tennessee Legislature to reapportion seats in its Senate and House since 1901.

Two years ago the Minnesota Legislature enacted a reapportionment for the first time since 1913, but only after a federal court threatened to invalidate all district lines and require election of the whole legislature from the state at large.

Recently an Indiana Superior Court judge held that that state was without a legal legislature because its members had violated their oath of office by failing to redistrict in more than 30 years. Whether this will be carried to the state Supreme Court is yet to be determined.

In many states the apportionment is rigged by a stipulation that no county or town shall have less than one representative. In Connecticut 10 per cent of the voters can elect a majority of the lower house; in California one-eighth can control the Senate; and in practically every state a minority of voters can control both houses.

Underrepresentation of cities is one of the issues on which voters of Michigan last week decided to order the holding of a state constitutional convention. It may arise in other states whose constitutions are antiquated on this point and in the courts of states whose constitutional provisions have been ignored.

For this dilution of the franchise of city and suburban voters reflects itself in an inadequacy of state governments to deal with urban problems. This was noted in 1955 by the Kestnbaum Commission appointed by President Eisenhower. It also results in a distortion of representation in the United States Congress (for which the district lines are drawn by state legislatures). And it is basically inconsistent with the general democratic premise of equal representation.

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GENERAL

Operation Ballot:

Slight Gains, But Nearly Three Million Can't Vote In 11 States

WASHINGTON, D.C.

For one reason or another, there are nearly four million colored persons of voting age in the South who are not able to vote.

The reasons for this wholesale disfranchisement, thanks to the Civil Rights Commission Report of 1959, are well known by both the Congress and the Executive branch of government.

Remedies to correct this glaring defect in the election process have been suggested to all three branches of the government—Executive, Legislative and Judicial.

TO DATE, ONLY a fraction of the major suggestions by the commission has been enacted into law — the voting referee provisions known as the Civil Rights Act of 1960.

However, had all the recommendations been aproved according to a majority of the commission's members, the remedy would be only stop-gap.

The only ultimate solution to the problem of securing and protecting the right to vote, according to five of the six members, is a constitutional amendment to establish a free and universal franchise throughout the U.S.

This is true because "Most denials of the right to vote are in fact accomplished through the discriminatory application and administration of such State laws.

"It appears to be impossible to enforce an impartial administration of the literacy tests now in force in some states, for when there is a will to discriminate, these tests provide the way," the Commission reported to the President.

DESPITE THE modest gains in some areas on the voting issue, the fact still remains that approximately 75 per cent of the potential colored voters in the South still are disfranchised.

Now that the new assistant attorney general, urke Marshall, has been informed, an urgent and timely question is what does the Kennedy Administration intend to do about the voteless millions of the South?

Will the Justice Department, with the backing of the White House, mount a full-scale offensive against the forces in the South which make the vote in the South a thing of race and color?

* * *

THERE WAS considerable rejoicing in Macon County, Ga., over the March 17 ruling of U.S. District Judge Frank M. Johnson Jr. in the case Tuskegee voters brought against county registers.

There was some justification for the reaction. The ruling clearly was a sweeping victory for the government and Tuskegee citizens deprived of their right to vote through political chicanery.

Following a two-week trial, Judge Johnson ordered the following:

(1) Immediate registering of 64 colored applicants previously rejected by the registrars.

(2) Macon County registrars must meet at least two days in Tuskegee, accept applicants in the order they appear, examine them at least six at a time and keep the registration office open from 9 a.m. to 5 p.m.

* * *

(3) **REQUIRE NO APPLICANT** to read and write any portion of the Constitution longer than 50 words.

(4) Permit any registered voter to vouch for any number of applicants.

(5) Within 20 days of examining an applicant, inform the applicant by mail whether he has been registered and, if not, tell him why.

(6) Register any colored persons whose performance in attempting to register is equal to the least qualified white applicant ever registered.

* * *

INDICATING THAT he means for his ruling to be effective, Judge Johnson directed the board to apply to him on its progress once a month until further notice.

He ordered the registrars to keep voting records available for federal agents and asked the Justice Department to file similar reports.

Also, the judge requested the Justice Department to be ready to bring any necessary contempt proceedings and to give him the names of possible federal voting referees in event they are needed to replace the registrars.

Subsequently, the jurist has extended his order to adjacent Bullock County where he has threatened to abolish the requirement that applicants must have registered voters to vouch for them.

AS SWEEPING as the ruling is, it applies to only two counties in Alabama — Bullock and Macon — where voters have filed formal complaints which resulted in expensive and time-consuming litigation.

For instance, the Tuskegee case actually started in 1958 when the Civil Rights Department held a hearing in Montgomery as a result of complaints from colored applicants that they were denied the right to register.

Behind these complaints was the 1957 gerrymandering law enacted by the Legislature which reduced the number of registered colored voters in Tuskegee township from four hundred to four.

IN ORDER to accomplish this, the town was changed from a municipality with four sides to a monstrocity with 28 sides.

After Macon County registrars refused to testify at the Commission hearing, the Justice Department filed suit on Feb. 7, 1959.

The government lost the case in the lower courts when the judges ruled that the resignation of the registrars left no one to sue.

* * *

IN A UNANIMOUS decision handed down on Nov. 21, 1960, the Supreme Court reversed the lower courts and ordered Judge Johnson to rehear the case.

The opinion, written by Justice Felix Frankfurter, stated that when a legislature "singles out a readily isolated segment of a racial minority for special discriminatory treatment, it violates the 15th Amendment."

Judge Johnson's subsequent rulings stem from the Supreme Court's decision.

The point is the Tuskegee case required almost three years for determination.

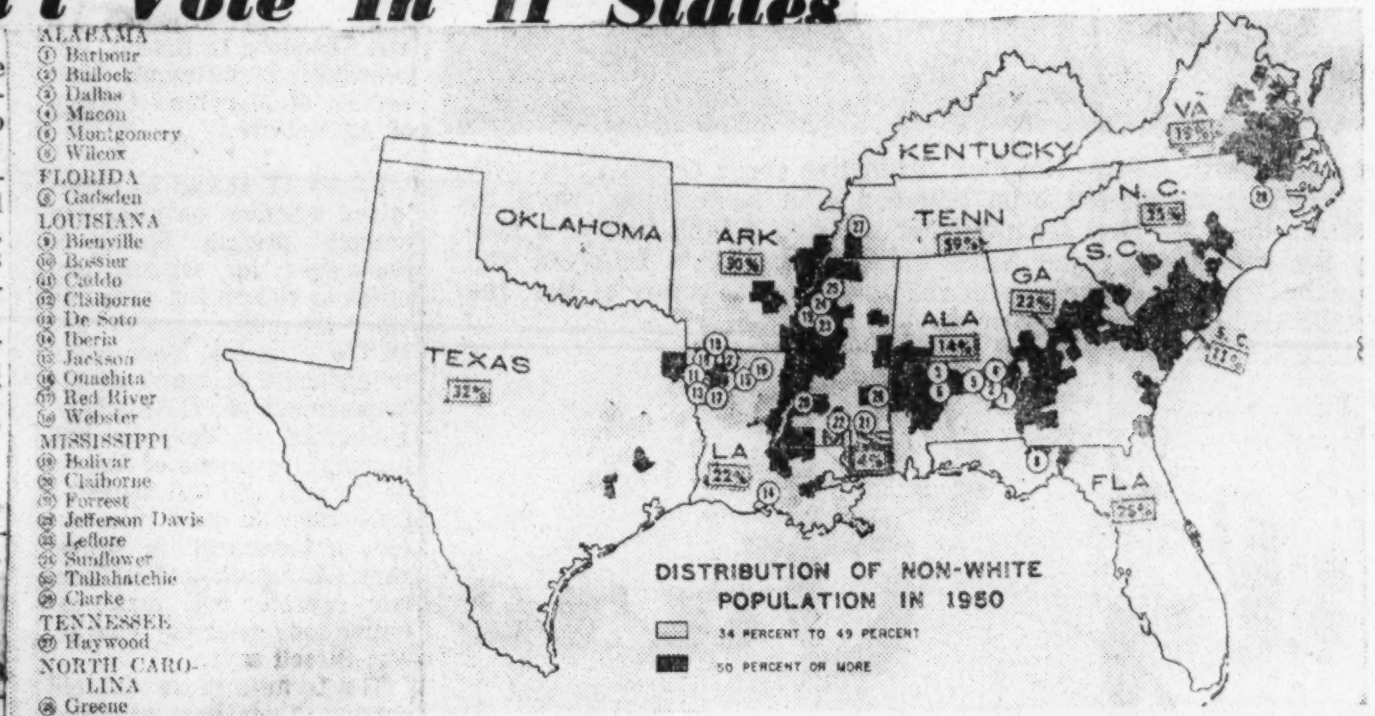
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IF THE BATTLE for the ballot is to be fought in Southern states where there is opposition to colored voting on a county by county basis, there will be decades of litigation over the vote issue.

Stiff resistance to registration will almost assuredly be made in the 158 counties in 11 southern states where colored constitute more than 50 percent of the population.

If the voteless millions of these states are to become first-class citizens, a major ballot-box offensive is needed. In fact, it is long overdue.

The Civil Rights Division of the Justice Department has the facts. In the Civil Rights Acts of 1957 and 1960 it has the tools necessary to at least start the drive which eventually must bring true democracy to the South.



DISFRANCHISEMENT MAP— Shown are the 11 southern states (excluding Oklahoma and Kentucky) which together, have almost three million citizens who cannot vote in either federal or state elections. Note that registration of colored is lowest in Mississippi.

GOP Strategists Agree On Seeking Negro Vote

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"That won't happen again," he asserted.

Rockefeller's spokesman—

Must woo Negro vote, GOP told

BY EARL MAZO
Herald Tribune News Service

WASHINGTON, March 17—New York Republican State Chairman L. Judson Morhouse, regarded as Gov. Nelson A. Rockefeller's spokesman, yesterday warned that the GOP must bid aggressively for Negro and ethnic votes or face a "long political night" of lost elections.

In a long, formal memorandum to fellow-members of the Republican National Committee's special committee on big city voting, Morhouse also castigated Sen. Barry Goldwater, Arizona, for urging that Republicans stop trying to vie with the Democrats for minority blocs as such.

Morhouse called the Goldwater position "arbitrary and impractical" and said: "The senator has proposed a Republican requiem in the cities when the challenge and the times require a Republican reveille."

THE MORHOUSE memorandum was issued as the 14-member special committee came to Washington for the first meeting to devise a plan for breaking the Democratic Party's tight hold on most big cities.

Morhouse said the "two crucial challenges" for Republicans are: "To win more support among the millions of voters in the larger cities, and, the inseparable second test, which holds the key to solution of the first, is to win more support among Negro voters and other minority groups."

party must not only cultivate the Negro vote with vigor, but should bring more people from minority groups into the party organization.

This is needed, Morton said, if the party is to improve its ratio of the big city vote.

Morton joined with GOP State Chairmen L. Judson Morhouse of New York and Ray C. Bliss of Ohio in saying the GOP must not write off the Negro vote.

Morhouse, in a memorandum filed with a 14-member national committee subcommittee studying the big city problem, took issue with Sen. Barry Goldwater, R-Ariz. He quoted Goldwater as saying the party should quit trying to win Negro and other minority groups and concede it can't get them as a bloc.

MORE SUPPORT

The New Yorker said the GOP should go all out in organization efforts and become "soundly progressive" to attract greater Negro support.

Morton and Bliss gave their comments at a news conference during a brief recess of the big city study group. Bliss is chairman of the group and Morhouse a member.

Asked about Morhouse's criticism of the avowedly conservative Goldwater, Morton said he does not accept the statement that the party should forget the Negro vote.

"We should cultivate the Negro vote assidiously," Morton said.

Asked if studies indicated the party could make gains by writing off the Negro vote, Bliss said, "As a political party you don't write off any vote."

Morton said one fact illustrates the party's problem: In 1960 President Kennedy piled up a vote margin of 2.7 million votes in just 12 big cities.

"That won't happen again," he asserted.

Morton Urges GOP To Woo Negro Votes

WASHINGTON (AP) — Republican National Chairman Thruston B. Morton said Friday his

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37 States Seen Okaying D. C. Vote This Spring

Tennessee Regarded as Key State With House Vote Set Tomorrow

By GRACE BASSETT
Star Staff Writer

A survey across the country by The Star indicated today that 12 more States are likely to ratify the District suffrage amendment this spring.

That would bring total ratifications to 37—one short of the number needed to incorporate the amendment in the Constitution. Twenty-five States already have indorsed the proposal promising Washington citizens their first presidential vote in the history of the Nation's Capital.

To become effective, the proposed Twenty-third Amendment must be ratified by three fourths of the States by summer, 1967.

The report direct from state-houses apparently means that the crucial 38th ratification would have to come in one of these States: Iowa, North Carolina, Florida or Texas.

Tennessee Is Key

Prospects were reported good in Tennessee, Arizona, Connecticut, Illinois, Kansas, Michigan, Nebraska, New Hampshire, Ohio, Oklahoma, Rhode Island and Vermont.

Of these, Tennessee, with a House vote set tomorrow night, is perhaps the key State. The Senate in Nashville has cleared the vote reform. House Speaker James L. Bomar said yesterday he expected House passage at a 6:30 p.m. session.

Last Tuesday, Mr. Bomar won unanimous support of the House Finance and Ways and Means Committee, which earlier had tabled the measure. The new favorable recommendation followed efforts of Gov. Buford Ellington, Mr. Bomar and Democratic leaders to clear up what they termed "misunderstandings" of committee members.

Tennessee ratification could tip sentiment in the North Carolina, Texas or Florida State Houses, in the view of suffrage supporters here. They also believe an Ohio ratification would influence the Republican legislature in Des Moines, Iowa.

Iowa ends its legislative recess tomorrow. The amendment is in committee in both houses. Lawmakers have given no indication how soon it might be coming out. It was considered unlikely until next week at the earliest, and could be delayed until April.

Hope in Raleigh

In North Carolina, the sponsor, Representative Ed Kemp of Guilford County, said he was hopeful of House passage. But opposition is rising, despite Gov. Terry Sanford's assurance he would vote for ratification if he were in the Legislature.

Mr. Kemp said he expected

HIGH COURT SCANS URBAN-VOTE CASE

Weighs Tennesseans' Right to Action on Redistricting

By ANTHONY LEWIS
Special to The New York Times.

WASHINGTON, April 22—The Supreme Court heard argument this week on a potentially far-reaching question: Is there any remedy in the Federal courts for discrimination apportionment of state legislatures?

The answer could vitally affect the country's politics. Most state legislatures are now weighted to favor rural voters, with urban areas having fewer representatives than they would be entitled to on the basis of population.

Much of the imbalance stems from the failure of legislatures to reapportion in the face of urban population growth. In back of forty-two states at least one House is supposed to be redistricted on the basis of population every ten years, but the requiremnt is often ignored.

That is the situation in Tennessee—the subject of this week's Supreme Court argument.

The State Constitution requires both houses of the Legislature to be redistricted according to population every ten years. But no new apportionment has been made since 1901, and some districts now have twenty times the population of others.

'Political' Question

In the past the Supreme Court has indicated that the whole question of districting is too "political" for the Federal courts. But questions from the Justices during this week's argument indicated at least that they were giving fresh and serious consideration to the problem.

One question that concerned several members of the court was whether the Federal Constitution put any limits on the way a state apportioned its Legislature. Couldn't it ignore population altogether and apportion by area?

Solicitor General Archibald Cox argued that some apportionment schemes could be so discriminatory as to deny equal protection of the law and due process of law under the Fourteenth Amendment. But he made clear that the states had broad discretion.

"What if a state set up a unicameral legislature with one representative for each county?" Justice Potter Stewart asked. "Would that violate the Fourteenth Amendment?"

"I am by no means saying that states must apportion by population," Mr. Cox replied. "What I do insist on is that a state must have some rational basis for an apportionment."

Charles S. Rhyne of Washington, arguing for the voters who brought the case, agreed with the Solicitor General. In answer to a question from Justice John Marshall Harlan, he said the Fourteenth Amendment did not demand "mathematical equality" in state legislative districts.

Counsel for Tennessee, Assistant Attorneys General James M. Glasgow and Jack Wilson, insisted that the whole matter was "too political" for the Federal courts.

"I think it would be improper for the Supreme Court to take over the political affairs of the states," Mr. Glasgow said.

Mr. Wilson argued that the right of fair representation given by the State Constitution was "not an individual right enforceable by the courts."

Judge Raises Question

"Why not?" Justice Charles Evans Whittaker asked. "As long as it is there, what does it mean? It gives the voter in Shelby County [Memphis] the right not to have his vote diluted out in the mountains, does it not?"

In this case, Mr. Cox said, the complaining urban voters had made out a preliminary showing of discrimination against them. He said the burden was now "on the state to come forward with some rational explanation for the apportionment." This would be hard to do in view of the State Constitution.

Mr. Wilson said the Tennessee Courts had held the matter too political for judicial enforcement. He also said it would be hard for a court to frame appropriate remedies without getting into the business of remaking the state government.

"We believe the citizens of Tennessee can take care of this problem," Mr. Wilson said. He said judicial intervention "would be little short of putting Tennessee into a political receivership."

Both Mr. Cox and Mr. Rhyne denied that the citizens of Tennessee could do anything about the problem. They said the rural majority in the Legislature had always refused to act. Mr. Cox also doubted that remedies would be a serious problem if the trial court did find the Tennessee districts unconstitutional.

Sees Force for Change

"The Tennessee Legislature is now taking the position that nobody can touch it," Mr. Cox said.

"If a Federal court takes jurisdiction, that in itself will generate great forces for change. If the court got to the merits and found the Constitution violated, I should be surprised if the Legislature did not act." He continued:

"The theory of legitimacy, a solemn adjudication that the Constitution has been violated, carries great weight with the people of this country."

Justice Felix Frankfurter suggested that if the Tennesse districts were held inval everything the Legislature ha done for the last sixty yea might be called into question But Mr. Rhyne said that woul not follow.

D.C. Vote Law Hearing To Be Held Tomorrow

Statutes of New York, Ohio, Georgia Expected to Figure in Model Version

By GRACE BASSETT
Star Staff Writer

Drafts of a District vote law, envisioned as a model for the Nation, are bound to be patterned after existing State statutes.

Members of Congress now are analyzing New York, Ohio, South Carolina, Georgia and Nevada laws and the old territorial election statues of Alaska and Hawaii.

The ideal—to draw all eligible voters residing in the District to the polls—will be the aim of hearings set for 10 a.m. tomorrow at the District Building. Public witnesses have been invited to offer their ideas for perfecting a proposal drafted by the Commissioners.

At least two other hearings will be held later, before the House and Senate District Committees, which are to recommend Washington's first presidential election law to Congress.

The right to vote for President and Vice President is granted in the 23d Amendment ratified Wednesday when the total of approving States reached 38, or three-quarters of the 50 States.

Ceremony Tomorrow

General Services Administrator John L. Moore expects to sign a certification of adoption at a ceremony at 9:15 a.m. tomorrow in his conference rooms. His signature will authorize entry of the 23d Amendment in the Federal law books.

In Congress, New York laws will figure in deliberations because Representative Celler, Democrat of New York—chairman of the Judiciary Committee, which handled the amendment—has promised to introduce an election bill. Senator Keating, Republican of New York, original sponsor of the amendment in the Senate, has called for a "model law" in the Nation's Capital.

From Ohio, Republican Representative Harsha, freshman member of the House District Committee, plans to introduce a bill based on the Ohio law. His proposal will gain prestige from the support of Representative McCulloch, Republican of Ohio, senior minority member of Mr. Celler's committee. Ohio's election laws have been cited by the American Heritage Foundation as guarding against fraudulent ballots.

The South Carolina, Georgia and Nevada systems will win notice because these are the home States of Democratic Representatives McMillan, District Committee chairman, and Davis, a senior District Committee member, and Senator Bible, Senate District Committee chairman, respectively.

Parties Differ Here

Some legal experts in Congress and the Library of Congress believe the old Alaska and Hawaii laws lend themselves to the District as a unique political entity, not a State.

It should become clear this week whether local Democrats and Republicans will compromise or crystallize their differences over a proposed bill.

Partisan opinions now vary on residence requirements — from six months by Democrats to two years by Republicans—and on registration, from empowering the Board of Elections to fix the frequency (Democrats) to requiring reregistration before each election (Republicans).

The Commissioners' bill sets up a one-year residence requirement and a permanent

registration system. A bill already introduced by Representative Broyhill, Republican of Virginia, asks for one-year residence and reregistration each four years.

Both the Commissioners' and the Broyhill draft would permit 500 persons to place a minority party on the ballot by petition. Acting Democratic Chairman Joseph L. Rauh favors this. Republican Chairman Carl L. Shipley wants an added bar against balloting for any party that advocates overthrow of the Government by force or violence or makes race or religion a qualification of membership.

Elections Board a Puzzler

One puzzler for city officials in the previously disfranchised city is the future role of the Board of Elections. Members are appointed by the Commissioners, who, in turn, are appointed by the President.

So the question arises for the first time—are officials appointed by the party in national power the appropriate individuals to exercise wide discretion over presidential elections?

It is this question which is at the root of the decision either to write voting requirements into the law or to leave details to the Board of Elections.

The board was established in 1955 to run elections for party delegates to national nominating conventions. The Commissioners have proposed their election draft as an amendment to the primary law which created the board.

Another non-legal question is posed by voting machines. Most city officials favor machines. But manufacturers until now have made machines for States, where many candidates are elected. No machines on the mass market are designed for presidential elections only.

Yet, whether or not the city uses machines could influence drafters of the election law.

Following is a summary of election laws being scrutinized in the current study:

NEW YORK

Voters' qualifications — 21 years old; United States citizen at least 90 days prior to election; resident one year in State, four months in county, 30 days in election district before election; able to read and write. Voters must pass literacy test or show they've completed the eighth grade.

Voters disqualified—If they accept bribes, or are unpardoned felons or unreleased persons judged incompetent or insane by a court.

Registration—Cities or counties with more than 5,000 population may adopt permanent registration law, subject to cancellation if person failed to vote for two years. Registrants take an oath only if challenged. They answer 15 questions when they register, concerning previous voting, party affiliation, residence, citizenship and personal description.

Penalties—Jail sentences up to five years for fraudulent registration or illegal voting.

OHIO

Voters' qualifications — 21 years old; citizen; resident one year in State, 40 days in county and 40 days in precinct before election.

Voters disqualified—if idiots or insane, unpardoned felons, or convicted twice of election law offense.

Registration — Permanent, subject to cancellation for failure to vote at least once in two years. Registrants answer under oath seven questions, the seventh asking any information "which the board deems desirable." Literacy not required.

Penalties—Fine from $50 to $1,000 or imprisonment from one to three years, or both, for false registration or illegal voting. Fine from $100 to $500 or imprisonment from one to six months, or both, for aiding another to vote illegally. Imprisonment for from one to 10 years for taking false oath "on material matter pertaining to elections." Fine from $500 to $1,000 or imprisonment from one to five years, or both, in addition to disfranchisement, for two convictions of election law violation.

SOUTH CAROLINA

Voters' qualifications — 21 years old; South Carolina and United States citizen; resident of State for two years, of county for one year, of polling precinct for four months (however, ministers and public school teachers need only six months' residence in State); be able to read and write any section of State Constitution, or be able to show that he owns and has paid all taxes during previous year on property in State assessed at $300 or more, unless he was registered prior to January 1, 1898, in which case he need not reregister.

Voters disqualified — Idiots, lunatics, paupers supported at public expense, persons in prison, and persons convicted for burglary, arson, perjury, bribery, wife-beating, miscegenation, violation of election laws and certain other crimes unless pardoned by Governor.

Registration — Voter must register once every 10 years. Applicant swears he qualifies as a voter and answers questions about his sex, race, place of birth, residence, height, weight and color of eyes and hair.

Penalties—Fine of from $100 to $500 or imprisonment for 30 to 90 days, or both, for fraudulent procuring the registration of a name.

Fine of up to $200 or imprisonment for maximum of three months for any voter knowingly receiving a registration certificate issued in violation of the election laws.

Fine or imprisonment at the discretion of the judge for a person who votes more than once at any election for the same office.

Imprisonment at hard labor for three to 12 months, or a fine of $300 to $1,200, or both, for any person impersonating or attempting to impersonate another for the purpose of voting.

Fine of from $100 to $1,000, or imprisonment for three to 12 months, or both, for any person voting who is not entitled to vote.

GEORGIA

Voters' qualifications — 18 years old, citizen, resident one year in State and six months in county; be of "good character and understand obligations of citizenship under a republican form of government" or be able to read and write correctly in English any paragraph of the Federal or State Constitution.

Voters disqualified—if convicted of treason against State, embezzlement of public funds, malfeasance in office, bribery, larceny or any other crime punishable by imprisonment in penitentiary, unless pardoned; if idiots or insane.

Registration — Permanent, subject to cancellation for failure to vote at least once in two years; applicant must answer 16 questions. Registration closes six months before election. Registrar's rejection of voters may be appealed to Superior Court by applicants.

Literacy test—Applicant must read and write section of Constitution selected by board.

Good character test—Applicant must answer correctly 20 of 30 questions, among which are: How many representatives are there in the State House and how are they apportioned among the counties? If both the Governor and the person who succeeds him die, who exercises executive power? How may a new State be admitted to the Union?

Penalties — imprisonment from one to two years for dual voting or voting without registering. Person guilty of misdemeanor if he votes although under 18 or if he permits, as registrar, any person to sign voter's oath without actually taking the oath.

NEVADA

Voters' qualifications — 21 years old; United States citizen; resident of State for six months, of county for 30 days and of precinct 10 days before election.

Voters disqualified—if convicted of treason or felony, if an idiot or insane, or if, while a citizen of Nevada, person has fought or aided in a duel.

Registration — permanent, subject to cancellation for failure to vote at general election of each even-numbered year. Applicant answers eight questions to register.

Literacy—applicant can register and vote whether or not he can read or write. But if he can't sign name, he must register in person where he may be identified by personal description on dated registration affidavits.

Penalties — imprisonment from one to three years for voting by impersonating another or under fictitious name.

Fine from $50 to $500 or confinement in county jail from one to six months, or both, for registering in knowledge applicant is not qualified or inducing anybody else to register fraudulently.

Fine of not more than $500 or imprisonment for no more than three months, or both, for refusing to be sworn in answering or refusing to answer registration questions.

Fine of up to $1,000 or imprisonment up to five years, or both, for voting fraudulently or twice.

Says GOP Muffed Chance To Regain Negro Voter

BY LYLE C. WILSON

WASHINGTON. — (UPI) — Hindsight being what it is, the Republican party can be faulted for missing its best and last opportunity to regain the support of Negro voters.

This opportunity existed during the eight years of Gen. Dwight D. Eisenhower's White House tour. The bid for Negro votes could have been made with federal jobs.

Neither Franklin D. Roosevelt nor Harry S. Truman did much of anything for Negroes in the way of top drawer federal employment. Barring an obscure clerkship or some such, FDR and HST managed to operate the White House without Negro assistance other than house servants. Their appeal to the Negroes was with words, legislative maneuvers that failed to score and with relief and housing provided by the

Truman in 1952 did name John H. Duncan, a Negro, to be District of Columbia recorder of deeds. That nomination was something less than a master stroke of politics. Duncan succeeded a Negro in a good D. C. job in which Negroes had come to have a vested interest. Few non-Negroes have held that job.

There was hard-nosed civil rights legislation during the Eisenhower administration, although by a Democratic Congress. General Ike even called out the troops to support integration of Little Rock schools. But the jobs-for-Negroes remained as was.

Too late the Republicans realized they had let slip their opportunity to win Negro votes by giving Negroes jobs. Henry Cabot Lodge got the word mid-way in his Republican campaign for the vice presidency. Lodge occasionally mumbled something about a Negro in the cabinet if the Republicans won in 1960. That did not fool anyone, however, including Presidential nominee Richard M. Nixon. The Republicans were too aware of southern voters to make a solid commitment that a Negro would be named to the cabinet if the Nixon-Lodge ticket won. Anyway, it would have been bad politics to make such a commitment.

Politicians in the prayerful wooing of racial groups and voting blocs are bound by tradition to more gentle and less obvious public maneuvers. Lodge had played the Negro-in-the-cabinet card, however, and John F. Kennedy had to trump it. He did so as President-elect in December, 1960.

Negro Voter

Kennedy played the scene on the front stoop of his Georgetown home. His straight man was a Negro, Representative William L. Dawson, a Chicago Democrat. To the audience of newsmen, Kennedy announced and Dawson did not deny that the President-elect had tendered the Congressman the office of Postmaster General. Kennedy also said Dawson had refused. By reason of Dawson's age, 74 years, and his South Side Chicago political connections, political realists suspected that the incident was a phony. But it also was a political grand slam.

There is nothing phony about the fact that Kennedy is working many Negroes into the federal service in jobs heretofore reserved for non-Negroes. Andrew Hatcher, a Negro, is assistant White House press secretary. Kennedy is digging pay dirt.

Negro Voting in the South

Only 25 per cent of the Negroes in the southern United States who have reached voting age are registered to vote. This figure is increasing, but the rate of growth is painfully slow.

In an effort to stop discrimination against potential Negro voters in Clarke and Forrest Counties, Miss., the Justice Department recently filed two civil rights suits there. Gov. Ross Barnett said of the suits: "I don't understand why they want to interfere with local self-government. Local self-government is the thing that made this nation great."

The following figures, of which Governor Barnett is no doubt aware, are eloquent: in Clarke County, which is in east central Mississippi, more than 50 per cent of the white citizens of voting age are registered, but none of the 2,988 eligible Negroes; in Forrest County, in the south central part of the state, about half of the 22,431 whites are registered and 25 of the 7,495 Negroes. There is a long record of attempted registrations that have failed.

Attorney General Kennedy observed that "Negroes in these two counties still are being deprived of the right to vote—the fundamental right of all American citizens. It is our responsibility under the law to guarantee this right and we will meet that responsibility in these counties and elsewhere." Governor Barnett should be informed that no one "thing" made this country great. There is, however, a multitude of peoples who with the freedom to exercise "fundamental rights" have the potential of greatness.

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GENERAL

POLL TAX
CONSTITUTIONAL AMENDMENT TO ABOLISH POLL TAXES LEVIED BY FIVE SOUTHERN STATES

Justice Dept. Backs JFK On Poll Tax

Opposes Proposal To Give Ballot To 18-Year-Olds

WASHINGTON, June 28 (UPI)—The Justice Dept. today endorsed on President Kennedy's behalf a constitutional amendment to abolish poll taxes levied by five Southern states.

But the Department opposed amendments giving the ballot to 18-year-olds in Federal elections.

It said the Administration "thoroughly believes" that 18-year-old citizens are mature enough to vote intelligently. Nevertheless, it said, setting age qualifications for voting should continue to be left to the states.

The Administration's views on electoral reforms were given to the Senate constitutional amendments subcommittee by Nicholas deB. Katzenbach, an assistant attorney general.

Katzenbach questioned various plans to abolish the winner-take-all electoral college method of electing presidents. Carving up a state's electoral vote in ratio to the popular vote would encourage splinter parties and perhaps destroy the two party system, he said.

"It seems to us . . . that the importance of maintaining the two-party system and the danger that lies in the development of splinter parties outweigh the alleged but uncertain advantages of proportional voting," he testified.

Katzenbach also conceded that a strong case could be made for a constitutional amendment establishing nationwide presidential primaries to replace the traditional nominating convention.

But he said the cost of national primaries would be prohibitive and probably promote harsh rivalries among party leaders.

Proposed amendments to abolish the poll tax in Alabama, Texas Mississippi, Arkansas and Virginia have been introduced by Sen. Spressard L. Holland, (D., Fla.), and 64 other senators.

Katzenbach said the poll tax hampers the voting rights of thousands of whites and Negroes and discredits the United States abroad.

'Stand-In' Drive For Vote Seen

MIAMI — (UPI) — The Rev. Martin Luther King, Jr., told a rally here that Negroes plan to begin "stand-ins" at Polling places in the south in a move to increase voter registration.

King said the move will come "within a year." The Atlanta minister said the stand-ins will take place in areas where Negro registration has been resisted.

"The Negro vote in the south will be doubled from its present 1,300,000," King predicted.

The integration leader said Miami welcomes Cuban refugees to its beaches, but denies them to Negroes. "This is part of the true American tragedy, the great American dilemma," he said.

REV.MARTIN LUTHER KING

U.S. INQUIRY IS URGED IN NEGRO VOTE DRIVE

ATLANTA, Oct. 5 (UPI)—The Rev. Dr. Martin Luther King Jr, a leader in the integration movement, charged tonight "an apparent reign of terror" was being waged against Negroes taking part in a voter registration drive in two south Mississippi counties.

Dr. King wired Attorney General Robert F. Kennedy "urgently requesting" an immediate investigation by Federal authorities of the situation at McComb, Miss.

Authorities arrested 113 Negro high school students and three workers for the Student Nonviolent Co-ordinating Committee yesterday after the students had marched on City Hall to protest discrimination. Authorities said they made the arrests after fighting broke out and "several hundred white persons" had gathered downtown.

The students were protesting refusal of authorities to register two school mates arrested in a sit-in demonstration last August. School officials today agreed to accept the two students back in school.

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AN EDITORIAL . . .

INTELLIGENT VOTING IS THE KEY TO MANY RACIAL PROBLEMS

The Black Dispatch

Enthusiastic support should be given to the National Association for the Advancement of Colored People's drive to get as many Negroes registered as possible for the coming state-wide election. According to officials, plans call for sit-in demonstrations to be staged against those who are lagging in this important phase of the democratic process—voting. Work is already underway in the campaign and the general public will begin feeling the pressure of the drive before the year's end.

It is high time some non-partican organizations take upon themselves the responsibility of giving the public unbiased information to enable citizens to vote intelligently. The drive should draw the attention and support of churches, fraternal organizations and many other civic groups. A sound intelligent leadership is needed to make the Negro vote get the results it should in local and state-wide political races. The sooner Negroes learn to spend their money and their vote wisely, the sooner the time will come when there will be no need for sit-ins and other forms of demonstrations. A group with intelligent leadership cannot be handed an emotional knockout pill that will blind them to sound reasoning.

The state-wide political campaign, to gain momentum before the year is out, should be looked at carefully and with intelligence, rather than with blind emotion. The last state races were run on emotion-arousing slogans, rather than sound reasoning. The liquor question was blown up clear out of proportion to its value, along with the slogans built around "Old Guard" control, "Fresh Breeze" in the state capitol, "Restrictive Covenants" in housing and many others. Let's analyze each one of these in turn with the 20-20 vision of hindsight.

Legalizing the sale of intoxicating beverages was supposed to have been the key to most of the state's financial woes. The tax from the sales of the beverage going to the general fund was to relieve the state treasury of its continual pinch and it was something less than sensible not to tap this enormous revenue. The advocates argued that the people were going to sell whisky anyway, so the state might just as well make the money. We ran to the end of the rainbow, but where is the pot of gold? The recently closed legislature had more trouble than ever trying to make ends meet. In fact, they had to leave their problem for the next session, unsolved.

Oklahoma City, Okla.

The "Old Guard control" emotional appeal was built up to such proportion during the campaign that a solid wall of non-cooperation blocked any worthwhile program of the "Fresh New Breeze" of the incoming administration. There have been many expressions of repentance throughout the state after a wild fling of emotional voting. We are not past the hang-over yet.

The big lie that was carried through by the emotional appeal to race hatred over the dead issue of "Restrictive Covenants" in housing overyhelmingly influenced the Negro vote. Yet all of us knew that the United States Supreme court knocked out all racial restrictions in housing throughout the nation in 1948. We knew that before that time, lending agencies demanded the restrictive clause be in all housing developments, both Negro and white. The Edwards Addition, before 1948, was restricted to "Negroes Only," and all other additions throughout the country were restricted to the predominant group involved. Knowing this, we went right on and blindly bought the emotional appeal to race hatred and voted blindly for an administration that has not been able to live up to the beautiful picture drawn to gain our support.

Yes, it is a fresh new approach that the National Association for the Advancement of Colored People is taking. The organization sees a job that needs to be done in our own back yard. All the ills of the race cannot be laid at some other race's feet. Pick the mote from thine own eyes before pointing out the cinder in thy neighbor's.

Bill Seeks Voter Proportion

By BRUCE GALPHIN

A newly proposed county unit system revision takes a step toward proportional distribution of voting.

It would still leave the three most populous counties, for instance, with less than half of their proportional voting strength.

And it would leave Fulton County at a 21-1 disadvantage with the state's smallest county, Echols. At present the ratio is 99-1.

The unit reform was dropped in the hopper last week by Rep. Robert Scoggin of Floyd County. It would have this effect:

Fulton County would receive 28 unit votes, DeKalb 16 votes, Chatham 10, the five next counties eight each, the next 12 counties six votes each, the next 18 four each and leave the remaining 121 counties with two votes each.

(The present system gives six votes each to the eight largest counties, four each to the next 20 and two each to the remaining 121.)

Scoggin is attempting to sell his reform in part with an argument that if the state does not undertake the project itself, federal courts may throw out the system entirely.

The U.S. Supreme Court recently set a precedent of enormous potential in a case challenging the right of the Alabama Legislature to redistrict the City of Tuskegee so as to remove most Negro voters.

PAST RULING

In the past, the high court usually has rejected such matters as districting and legislative reapportionment as political matters outside its jurisdiction.

But in the Tuskegee case, the high court ordered the district court to bring the case to trial. Governments, the Supreme Court said, cannot use their ordinarily "untouchable" political powers to deny a constitutionally guaranteed right.

... the Circuit Court of Appeals judges had cited one of Georgia's county unit suit decisions in upholding the district court. He said the logic in that decision applied directly in the Tuskegee case.

Some politicians openly say they hope to improve the unit system by making it more equitable.

WOULD IT WORK?

Would Scoggin's plan do the trick?

Below is a table listing several counties, their present percentage of the total state population and their percentage voting power under the proposed unit system revision:

County	Pct. State Population	Pct. Unit Strength
Fulton	14.1	5.8
DeKalb	6.5	3.3
Chatham	4.7	2.1
Muscogee	4.0	1.7
Bibb	3.6	1.7
Richmond	3.4	1.7
Cobb	2.9	1.7
Dougherty	1.9	1.7
Floyd	1.8	1.5
Newton	0.5	0.8
Burke	0.5	0.4
Echols	0.05	0.4

A few counties' population and unit percentages would be almost equal—Dougherty, for instance, among the larger counties, and Spalding in the middle range and Tattnall among the two-unit counties.

Counties smaller than Tattnall would be getting more than proportional strength and larger two-unit counties less than proportional strength.

Judge Nixes Vote Referees

MACON, Ga. — (UPI) — Federal District Judge William A. Bootle rejected a Justice department request Wednesday that federal referees be appointed in Terrell County, Ga., to guarantee voting rights to Negroes.

Bootle said he had no reason to assume that the county registrars were not complying with his Sept. 13 injunction forbidding discrimination against Negro voter applicants.

The government request was rejected "without prejudice," a legal phrase which means the Justice department can try again if it is determined later that the registrars are not acting in good faith.

Bootle said the federal voting referees are not needed at this time.

"In order to preserve a healthy federalism, no more findings or decrees should be made in this area of conflict between federal law and state action than are necessary," he said.

The Justice department filed its orginal suit in 1958, charging violation of Negro voting rights under the 1957 Civil Rights Act. The government won its suit last summer before Bootle at Albany, Ga., but returned to court last August to ask for a further ruling under the 1960 Civil Rights Act.

The latter request charged that there was a continuing pattern of discrimination existing in Terrell county.



Celestine Sibley

A Brand-New Citizen Defies Snow and Ice, Registers to Vote

You remember last Thursday! The day of slush and skid and the sound of brittle bones breaking where hapless travelers hit the hard pavement. Only people who had urgent business downtown ventured out. Some public offices closed and some operated with a handful of help. Movement of any kind was precarious. But a small, swarthy gentleman, who lives and works on Luckie Street made the trip to the Fulton County courthouse and he considered his errand urgent.

He registered to vote.

The gentleman is a 56-year-old, brand-new American citizen, Basil Kretsos, part-owner in the Ship Ahoy restaurant. Like the U.S. mail carriers he couldn't let the weather deter him from the swift completion of a personal, Greek-style timetable which has engrossed him for several years.

On Jan. 25, 1961, he became an American citizen. On Jan 26, 1961, he became a citizen of Georgia and Atlanta.

Mr. Kretsos' friend, Nick Chotas, explained it to me.

"My friend had a dream of being an American since he came to this country in 1957. He loves this country and is it not right when one loves a country to vote in her elections?"

Mr. Chotas himself came to America as a boy of 14 in 1907, bringing with him the tremendous Greek pride in culture, in athletics, in faithfulness to God and church. He was one of the founders in 1922 of a now national American Hellenic Education Progressive Association, to which many distinguished Greek Americans have belonged. The last meeting of the association drew 20,000 members from all over the country and their roster of achievements includes vast sums of money contributed to Greek war relief, the building of hospitals in this country and the establishment of scholarships for Greek American youth.

He feels a great surge of personal satisfaction every time some newcomer from Greece is taken with the charms of this country and sets out to become not just an American in name but a practicing, tax-paying, voting, American citizen.

Mr. Kretsos was a steward in a famous hotel in Athens, one which has served kings, when he and his wife and 17-year-old son migrated to America. He worked for a time in Washington, where his son is now finishing his education as a doctor, and then he came to Atlanta. Mrs. Kretsos remained behind in Washington to look after their son until her husband could become established in Atlanta. Mr. Kretsos lives at the YMCA, works a few blocks away, and devotes all the time he can spare to studying the languages and the history of his new country.

"He's a real Georgian now," Mr. Chotas said.

Savannah boycott aids voter drive

SAVANNAH, Ga. — The NAACP - sponsored "Crusade for Voters" has raised colored registration from 9,000 to 12,500 in recent weeks, it was announced here this week.

The drive for voters has tied in with the Association's year - long selective buying drive against the entire downtown shopping district, now in its Easter season peak.

Curtis V. Cooper, chairman of the NAACP's Withholding of Patronage Committee, reported that Jon Edwards, a local men's clothing store, has sold out to new owners as a result of the NAACP non - buying drive.

Numerous Vote Irregularities In Telfair Reported by Jury

Constitution State News Service

McRAE — A Telfair County Grand Jury said it found numerous vote irregularities in last November's general election but didn't have sufficient evidence to indict anyone.

In special presentments filed this week, the grand jury named a five-man subcommittee to continue the investigation of nonresidents and dead people voting in the election. Voting irregularities in Telfair County were first reported in The Constitution by reporter Jack Nelson.

The jury called on the county's vote registrars to take "immediate steps to purge" the registration lists of the names of all dead persons and people who have moved from the county.

URGES DILLIGENCE

They also asked poll managers to be "more diligent and watchful."

Meanwhile, agents of the Federal Bureau of Investigation have photostated all records in the Telfair Superior Court clerk's office that pertain to the Nov. 8 general election, including registration cards, list of those who voted and ballots.

"While it is apparent from our investigation of these charges that various (voting) irregularities were committeed . . ." the grand jury said, "sufficient evidence has not been submitted to us to identify the person or persons who perpetrated and are responsible for these irregularities.

URGES REPAIRS

"On account of this failure of the evidence . . . sufficient information to warrant the returning of an indictment or indictments against guilty parties has not been made available to this grand jury. . . ."

The grand jury also recommended that the voting booths in every polling place in the county be repaired or new ones installed in polls that lack them "where a person can vote in private if he so desires."

Named to the special jury subcommittee were foreman Joe Bradfield, D. L. McLaughlin, W. S. Calloway II, G. Fuller and W. L. Bowen, clerk.

Governor Signs Registration Law

By MARION GAINES

Gov. Vandiver signed into law Friday a municipal registration bill and Fulton County officials estimated it will double the number of registered voters here "in the near future."

Fulton County Commission Chairman James Aldredge said the bill will be put into effect "as soon as we can set up the machinery." It will let Fulton residents register to vote at nine municipalities outside of Atlanta.

Hailed by Sen. Charlie Brown as "possibly the most important local legislation" of the past five years, the bill will let registration offices be set up at the city halls of Alpharetta, Roswell, East Point, College Park, Hapeville, Fairburn, Union City, Palmetto and Mountain Park.

Fulton Rep. Ralph McClelland said the bill would permit city and county residents—no matter where they live—to registrar at any of the municipal registration offices which will be set up.

The governor's action culminated a years-long fight by the Fulton legislative delegation for municipal registration. A similar bill was vetoed by Vandiver two years ago; it was killed a year ago by a General Assembly committee, reportedly at Vandiver's request.

Introduced this time by Sen. Brown, the bill will let the county commission appoint the county registrars, and name one of them chief registrar, to take office next Jan. 1.

"We want to thank the governor for his understanding of the need for this legislation," said Sen. Brown.

Proponents of the bill long have contended that many persons did not register to vote because there was no office near their homes where they could conveniently file applications and take examinations.

Young Howell, Fulton supervisor of registration, said there are about 143,000 voters registered now from both inside and outside the city.

As a result of the bill, he said, "we should have around 300,000 registered within the near future."

"This will really be a means of carrying the government to the people," said Howell.

Fulton Rep. Wilson Brooks also applauded the governor's action and added:

"It would be better still if we could set up neighborhood registration within the city."

Voter rolls would increase even more, he said, if residents of communities like Buckhead, West End, East Atlanta, Adamsville and Riverside were permitted to register at local centers.

Vandiver also signed into law Friday a bill which will separate the Fulton registrar's office from the jurisdiction of the county tax commissioner's office.

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Jury Reports Voting Frauds, Asks Action in Richmond

AUGUSTA — The Richmond County Grand Jury Thursday reported that it had found bogus ballots in the Nov. 7 Board of Education election and asked that balloting application records be turned over to the State Crime Laboratory for handwriting analysis to determine the author of the phony signatures.

The Grand Jury recommended that A. Oscar Walker, poll manager of the Fifth Wa.d during the election, be censured for "gross inefficiencies" in permitting alleged negligence which the jury said had allowed about 200 spurious ballots to be cast.

The committee reported that they had been "able to ascertain" that two dead people and three not on the registry books had been voted during the recent election. They also reported that about 50 people voted twice, and more than 100 other signatures did not look authentic.

Asking that in future elections steps be taken to prevent "any public official or any employe of the city, county, or Board of Education from serving at the polls," they also recommended that the next grand jury (which will be drawn later this month and charged in February) follow up the investigation.

They called for the indictment of any poll worker or workers who are found to have written the bogus ballots. Judge G. C. Anderson termed the Grand Jury "a good jury, one who saw its definite responsibilities and discharged it well."

In other recommendations, the Grand Jury urged that the County Board of Commissioners arrange contracts with commissioners of other counties to provide for reciprocal payment for out-of-county facilities in the hospital and medical treatment of indigent citizens.

Eight per cent of a $324,000 bill for indigent patients at University Hospital during the first 10 months of 1961 is a "complete loss" to the institution because it was accumulated by counties other than Richmond.

The Grand Jury also charged that "political pressure" had "apparently been applied freely in the past" to county tax assessing work, and commended the present assessor board for "attempting to follow exact rules and regulations" aimed at removing political interference.

They concluded, "only a complete, outside audit, which the grand jury is in no position to perform, would reveal whether there are any irregularities" in tax assessing procedures.



BLIND QUALIFY TO VOTE—These blind men and women can see the good that comes from being qualified, registered voters, as they were photographed at the office of the registrar after completing all necessary processing. They are all from the Metropolitan Atlanta Association for the Blind, and are seen with their director, Dr. P. J. Woods (left). From left to right they are: Dr. Woods, Mrs. Hallie Jones, Mrs. Jenieve Whitehead, Miss Prentiss Bonner, Mrs. Mary Young, Willie Womack, James Clark, Tom Lundy, Miss Parthenia Smith and Miss Annie Rains. (Photo by Perry)

132,183 Can Cast Ballots In September

40,292 Negroes Registered For Primary, Records Shows

Voter registration figures released Monday showed that 132,183 Atlanta citizens are registered to vote in the forthcoming September 13 city primary election, with a record 40,292 of this total being Negroes.

William R. Ward, assistant Fulton County Registrar, said that 4,089 persons registered to vote at the Fulton County Courthouse last week, of which all were in the city except 93.

Ward said that Negroes outregistered whites Saturday, the last day for registration in the city primary, 577 to 428.

Young Howell, registration supervisor, predicted last week that one-hundred-thousand people will vote in the city election.

In the city primary election last May 8, 1957, a total of 83,804 whites were registered to vote compared to 91,891 in the coming election. 28,150 Negroes were registered in 57 with 40,292 eligible to vote this year.

Figures released yesterday do not include Atlanta residents living in DeKalb County, for which figures are not available as yet.

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GEORGIA

McINTOSH COUNTY
NEGRO VOTER REGISTRAR

Vote picture shows 2 sides of Georgia

Registrar named in McIntosh county

ATLANTA—(ANP) — The unprecedented appointment of a colored voter registrar in McIntosh County at the same time that the NAACP is an unprecedented move is suing for integrated polling places and voting lists in Dougherty county indicates the wide variance of attitude toward colored voting within the same state.

Chester A. DeVillars, principal of the Todd-Grant High School of Darien, was appointed by Judge Henry H. Durrence of Claxton, judge of the Atlantic Judicial District. The appointment was believed to be the first of a colored registrar since Reconstruction.

The judge made the appointment from a list of six names submitted to him by the May term of the McIntosh county grand jury. The other two members, Harvey Holland of Shelmans Bluff, and W. B. Brannan of Darien, are white, as were the other three persons whose names were submitted. Mr. DeVillars' appointment is for four years, beginning July 1.

In Atlanta, Secretary of State Ben W. Fortson Jr. said of Mr. DeVillars' appointment, "so far as I know, he will be the only colored member of a registration board in the state."

Judge Durrence, said: "This is very important, for the right to vote is almost sacred in this country. You should, and I know that you will, discharge all the duties as county registrars in accordance with the law and in the light of reason and justice without regard to politics, friendship, race, color or creed."

DeVillars, a native of McIntosh county, has been a teacher for 23 years, 18 years as principal of the Todd-Grant school. He got his bachelor of science in education degree from Savannah State college, and a master's degree from Columbia University, New York. He is married and has three children. His wife graduated from Savannah State.

There are now about 3,000 registered voters in McIntosh county, split almost 50-50 white and colored as is the total population.

FIVE NEGROES filed a complaint in federal court through C. D. King on behalf of themselves "and all other Negroes in Dougherty county similarly situated."

The complainants were W. G. Anderson, Thomas C. Chatmon Jr., E. D. Hamilton, Slater H. King, and Dorothy M. Scriven.

They asked for permanent injunctions "forever restraining" the defendants in the petition from maintaining separate polling places and segregated lists of qualified voters.

The petition asks that the court act on it immediately.

Racially-separate voting boxes, under court attack in Albany, are common in two-thirds to three-fourths of Georgia's counties — by best estimate.

No figures are maintained.

Segregation of voting boxes is a matter of custom and not of law in Georgia, and the Albany suit may be the first seeking to enjoin what is purely a custom.

In some places, colored persons go to separate polling places. In others, they merely use different boxes.

The practice is not limited to rural areas or small cities. The FBI last year investigated segregated polling in Bibb County (Macon) but took no action. Atlanta's polls are non-segregated.

Powerless Voters of Georgia Will Rebel, Unit Foe Warns

The Atlanta Constitution

SAVANNAH—The fact that a majority of the Georgia population has almost no political power is going to cause a rebellion, a legislative committee was warned here Friday.

"Sooner or later, if you do not (make adjustments), such steps as tax strikes and mass protests

People feel some changes must be made, committee chairman says, Page 5.

at the state capital will come about," former Chatham Rep. John W. Sognier said.

Sognier's opening statement set the tone for the last of a series of public hearings on the state's political structure, and much the same mood continued for the two and one-half hour hearing.

There were dissents from lawyers and citizens in surrounding smaller counties, but by far the majority of the public sentiment here was for legislative reapportionment and either changes in or abolition of the county unit system.

"The sentiment throughout the state is against the county unit system," Sognier said before warning of the urban uprisings to come.

that plainclothes border patrolmen will ride some airliners.

Many airline officials fear that armed guards aboard planes may prove a greater danger than the hijackers themselves. In four hijackings since May 1, the aerial pirates have been armed but there has been no gunfire.

But a hijacker coming up against an armed guard might precipitate a gun battle such as occurred Wednesday on a Cuban airliner over that island. A pilot, a guard and a hijacker were killed, although the plane's passengers escaped injury.

Another hazard in event of a gun battle aloft is that bullets the Sylvania Telephone, argued that small and large states were intended to have an equal voice in national affairs, and that the practice should be followed by maintaining the unit system.

The Atlanta Constitution

Hollingsworth asserted that the county unit system still is more popular than any governmental form which could be substituted for it.

Journal and Constitution

COMPROMISE OPPOSED

Effingham County Atty. W. R. Deal argued against any compromise, saying that the Southern power in the Democratic Party and the white primaries were lost through compromise and "there is no turning the clock back."

E. M. Boyd Sr. of Metter attacked The Atlanta Constitution and Publisher Ralph McGill, declaring that Harvard University was honoring too many newsmen "up there in Boston where they've got that brogue."

Sat., 8-12-61

"We Southerners used to be conservative," Byrd said. "I think things are changing."

William Schandolph, chairman of the Savannah Chamber of Commerce's governmental affairs committee, presented a plan for reapportionment to give both population and geography a share in state government.

WOULD REVAMP DISTRICTS

Under the plan, congressional districts would be altered to conform more nearly with population shifts, and then the districts would become the boundaries for state house and senate election.

Six senators would be elected from each of the ten districts, running district wide and allowed to succeed themselves. Twenty house seats would be allotted to each district with candidates running from sections of the districts.

Business supported the plan, as well as Savannah union leaders, including L. M. Nunn, E. R. Culpepper and C. S. McNeely. Labor's vote has been so diluted that members have not been active, Nunn said, adding that they "are not associated with goons and racketeers but are citizens who are worthy of respect."

Mrs. John Angell of the Virginia League, Mrs. Sarah Hanes of the Business and Professional Women's Club and Mrs. Walter Benfield of the Savannah League of Women Voters all supported the plan.

Abram Eisenman, weekly newspaper editor here, said, Negroes outnumber whites in 49 counties and eventually will hold voting control unless counties are consolidated," so the white politicians are working to defeat themselves."

Savannah citizen Julius Budiaz, who said he moved here 15 years ago from Baltimore, said he still has not been able to understand the county unit puzzle.

Committee Chairman Frank Twitty of Mitchell County said this was the last of the public hearings on reapportionment and that recommendations will be made by November.

Voting Machine At Library Today

Atlanta Daily World

Wed. 8-6-61

The Atlanta Junior Voters League has started a movement this week with special emphasis on getting out the vote and use of voting equipment in the city primary election on September 12.

Atlanta Journal

Members of the Junior Voters League will be on duty at the West Hunter Branch Library today and Thursday demonstrating use of the voting machine as a public service at the request of the City Executive Committee, which is charged with the responsibility of conducting the city election.

The idea of forming the Junior Voters League was an outgrowth of a suggestion by the parent organization, The Atlanta Negro Voters League, to interest young people from 17 to 25 years of age to take a more active part in city government.

Members of the Junior Voters League have received credit from local civic groups as being a contributing factor in the increase of Negro registered voters this year.

The aims of this young organization conceived in 1959 include: registration of voters, to get out the vote, to be bi - partisan, to distribute factual information on candidates and to elect qualified officials for good government.

Sponsors of the Junior Voters League are Mrs. P. Q. Yancey, Atty. Leroy R. Johnson and W. H. Aiken.

The League members have formed committees to serve as baby -sitters, transportation pool, telephone group and poll reporters as well as poll watchers for the primary election.

The Atlanta Negro Voters League has urged that all citizens not familiar with the voting machine to take advantage of the opportunity to see the demonstration at the West Hunter Branch Library.

FBI Probes Vote Rolls in Savannah

The Atlanta Constitution

Sat. 9-28-61

SAVANNAH (UPI)—The Federal Bureau of Investigation said Wednesday that it is investigating a complaint of improper vote counting in election this past summer in which a white man defeated a Negro woman by a 4-1 margin.

Atlanta, Ga.

FBI special agent R. M. Murphy said the investigation began after the Justice department received a complaint that the Negro, Mrs. Juanita Williams, was discriminated against in the vote counting.

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Other officials said that Chairman Charles M. Debele of the Chatham County Board of registrars, met with two FBI agents and John M. Haar, manager of the controversial election.

Haar and the FBI were reported to have gone over records of the July 25 election for Chatham County Superior Court clerk. They were said to be mostly concerned with a large number of voided votes in a predominantly Negro precinct which favored the Negro candidate.

The election was won by acting clerk Ben Axson who had 22,715 votes to 5,831 for Mrs. Williams. There had been three other white candidates in the race, but they withdrew just before election day.

34e 1961

GEORGIA

COMMITTEE ON APPEAL FOR HUMAN RIGHTS (COAHR)
ATLANTA STUDENT MOVEMENT ORGANIZATION

Big Vote Drive Students' Aim For Atlanta

The Pittsburgh Courier
P. 2 Pittsburgh, Pa.

ATLANTA, Ga.—Atlanta's Negro collegians are not letting the hot summer months pass them by.

The Committee on Appeal for Human Rights (COAHR), the student movement organization in Atlanta that has led anti-segregation protests here since March 1960, has a full slate of summer activities planned, all aimed at removing racial bars.

The biggest phase of the students' hot-weather activity is a voter registration drive, aimed at strengthening the Negro vote in the Gate City.

Rec'd 7-29-61

"We plan to register about 10,000 Negroes," COAHR chairman and Morehouse College student Lonnie King says.

An adjunct of the vote drive, and of other student programs, is the "Freedom Hops," a weekly series of summer dances designed for Atlanta's teen-agers. These affairs, held at the Waluhaje Ballroom, provide live music for dancing for the younger set, and gives the student committee a chance to discover just who is and just who isn't registered.

"Everyone who comes to a dance has to complete a form," Spelman co-ed Gloria Boyd explained. "From the form, we can tell who isn't a voter. Later, we call them up, encourage them to register, and provide transportation to the court house for them, if necessary."

Other plans for the summer, formulated by the militant group of college students, include aiming at increased employment for Atlanta's Negroes; integration of the city's parks and other public facilities, and creating a general awareness among the general population of the advantages Negroes in Atlanta now have.

"We feel that civil rights are just too important for the winter months alone," Pat Simon says. This Spelman girl, acting executive secretary for COAHR, feels that "the fight against segregation is a year 'round struggle."

U.S. Investigating Wrightsville Voting

The Atlanta Constitution P.3
Wed. 10-4-61

WRIGHTSVILLE (AP)—An election official Tuesday said it looked like Johnson County Sheriff Roland Attaway "was turning away" prospective Negro voters in Tuesday's city election.

But the sheriff denied the charge, saying, "If that's the impression they got, they really and most certainly did get the wrong impression."

Atlanta, Ga.

The incident caused considerable concern and interest here during the balloting for mayor and four city council posts.

34e

FBI PROBING

The Justice department in Washington was brought into the situation by a complaint a department spokesman said came from an individual. The nature of the complaint was not disclosed.

O/A

The spokesman said the FBI was investigating the charge which was made in connection with the city vote.

Justice of the Peace J. Alden Price, in charge of the Negro voting place at Johnson County Courthouse here, said he got the impression the sheriff and a deputy, Joe Harris Rowland, were turning away Negro voters while standing on the courthouse steps.

DENIES CHARGE

O. W. Parker, a helper at the Negro voting place, said he got that impression too.

But, Attaway said he was out there to make an arrest of a Negro charged in a raid in the Negro section Sunday night. Attaway said the Negro was supposed to have come in and made bond Monday morning and failed to do so and that is why he arrested him.

The sheriff said the Negro he arrested was with two other Negroes and that he said nothing whatsoever to the other two men, who came into the courthouse and voted.

'NOTHING UNUSUAL'

It also was understood that the Nergo who was arrested came back to the courthouse and cast his ballot later.

"This arrest," the sheriff said, "had nothing whatsoever to do with the election and there is nothing unusual whatsoever about me and my deputy standing on the courthouse steps."

Chairman J. H. Baskin said Price called him at the city hall where the white voters were voting, and reported to him that "something" was going on over at the courthouse.

Baskin said he walked over to the courthouse, saw the sheriff and the deputy standing on the steps but never could find out exactly what was going on.

Negroes vote at different places in city elections from where white voters do, but in county elections both white and Negro votes are tabulated together. There were 80 Negroes registered to vote in the spirited city election and 963 white persons.

An added interest in the race for mayor was the fact that incumbent Mayor Carnage Fennell had unseated veteran Mayor Robert L. Rowland two years ago by a narrow margin of only two votes, and Rowland was opposing Fennell in today's balloting.

FBI probing irregularities at Georgia votng place

The Upper American P.3
Sat. 10-14-61 Baltimore, Md.

WRIGHTSVILLE, Ga. — Following a citizen's complaint to the Department of Justice, the FBI launched an investigation of irregularities at the voting polls at elections here Oct. 3.

Both Justice of Peace J. Alden Price, in charge of the polling places at the courthouse, said his aide, O. W. Parker, said it appeared to them that Johnson County Sheriff Roll- and Attaway and deputy sheriff, Joe Harris Rowland, were turning colored voters away from the polls.

"If that's the impression they got," said the sheriff in denying the charge, "they really and most certainly did get the wrong impression."

He said that he and his aide were there to make an arrest of a colored person in connection with a raid the previous Sunday.

Justice Dept. Orders Probe Of Wrightsville Complaints Of Election

Atlanta Daily World P.1
Thurs 10-5-61 Atlanta, Ga.

FBI To Determine If Effort To Turn Negroes From Polls Made

WRIGHTSVILLE, Ga. (SNS)—An FBI investigation of Wrightsville's city election Tuesday has been ordered by the U.S. Department of Justice, after complaints were filed by Negro voters than Johnson County Sheriff Roland Attaway turned some of them away from the polls.

This was the first city election Negroes had participated in and a Justice Department spokesman said "on the spot" complaints were received and agents were dispatched to the scene even before the polls closed to investigate the alleged intimidation.

The Justice Department said the federal agents were investigating to see if there is a basis for the complaints or if there had been a violation of federal civil rights.

R. L. Rowland, a cousin of the sheriff, won the mayor's race, defeating the incumbent mayor Carnage Fennell by a close margin of 35 votes. Mr. Rowland had been mayor of Wrightsville for several terms before Mr. Fennell unseated him by a margin of two votes in 1959.

Balloting results showed that Rowland received 445 votes to Fennell's 410, with 53 of the city's 85 registered Negro voters supporting Fennell and 9 votes going to Rowland.

Sheriff Attaway disclosed that the FBI agents had questioned him Wednesday, but declared, "If anybody says I intimidated them (Negroes) he's a damned liar."

Attaway admitted, however, that he had arrested two Negroes, Stacy Outlaw and Major Simmons, but later released them and both who he said voted in the election. Shortly after the arrests, rumors of intimidation began circulating in the county. Outlaw was arrested on a warrant for "cheating and swindling" in connection with a $7.13 worthless check. Simmons was booked for possessing "four bottles of beer for sale" in the legally dry county.

The two FBI agents who questioned Attaway, and later. city clerk Inman Walker, are Georgia men, Jack Applegate is from Swainsboro and Trent Siple is from Vidalia.

J. Allen Price, a justice of the peace in charge of the Negro voting box at the courthouse, (segregated box) said it appeared that the sheriff "was turning away" prospective Negro voters. O. W. Parker, who was helping with the elections agreed with Price.

Dougherty Jury Ousts Registrars

P.18 The Atlanta Constitution

Fri. 3-31-61 34e Ga

Constitution State News Service

ALBANY—The Dougherty County Grand Jury Thursday refused to re-elect the three-man board of county registrars because of laxity in registering voters.

The grand jury in a presentment to Judge Carl Crow submitted a list of six new names.

Atlanta, Ga.

The grand jury also noted that the irregular procedure of the registrar board was "called to the attention of the court by the March 1960 grand jury and we deem it necessary to again call it to the attention of the court . . ."

Registrar chairman Tom Kemp and members Albert Threlkeld and John Beck were not re-elected. Beck said he had submitted his resignation before the grand jury met.

In their presentment, the grand jury said "the board of registrars requires only that the applicant be able to read the voters' oath and sign the registration card. This procedure does not meet the requirements of the law."

The jury also noted that in many cases the registrar did not complete the back side of the registration card that attests that the applicant has met all requirements for registration as proscribed by law.

City commissioner C. B. Pritchett Jr. has conducted a one-man campaign for the past two years to purge the county voting list of what he has termed illiterates.

Judge Crow will select a new board from the six-man list presented by the grand jury.

Voter-Registration Office Open Monday

Atlanta Daily World

Atlanta, Ga. 34e Ga

Voter-registration will gain tempo this week under plans of the All-Citizens Registration Committee, headed by Jesse Hill, Jr., chairman. Offices will be opened Monday at the Waluhaje Apartments, 239 West Lake Ave., N.W., SY. 4-2431; Williamson and Co., 855 Hunter St., N.W., JA. 2-5895; and the Atlanta Branch NAACP Office, 236 Auburn Ave., N.E., MU. 8-6064.

Persons wishng to register may call one of these offices and give information needed, which will then be transmitted to the Fulton County Registration Office.

The applicant may later visit the Registrar in Room 106, Fulton County Courthouse Office on Central Ave., S. W., and complete registration in a much shorter time. Further arrangements to facilitate registration, such as transportation, chnics, etc., will be announced later.

In the meantime a Finance Committee, W. H. Aiken, chairman, is making plans for a financial campaign to raise funds among churches, civic organizations, clubs and individuals.

To date the following contributions have been made: Atlanta Negro Voters League, $250; Atlanta Branch NAACP, $300; Southern Christian Leadership Conference, $500; Ebenezer Baptist Church, $100; Friendship Baptist Church, $100 and others.

VOTERS' LEAGUE MEETINGS

Several meetings for voters have been scheduled for this week, the first to be held Monday for Ward 1, 8 p. m. in Zion Grove Baptist Church, corner of Pryor and Glenn Sts., S. W., Rev. J. H Lockett, pastor

Dr. R. L. Chamberlain, leader of Ward One, announced that J. H. Calhoun, chairman of the Organization Committee of the Atlanta Negro Voters' League, will speak Monday night at Zion Hill on the subject: "The Integration of Lunch Counters and Public Schools in Relation to the September Primary."

Good Advice to Voters: Register Now!

The Atlanta Constitution

We quite agree with Atty. Gen. Eugene Cook that the "problem of determining the possible registration deadlines for the primary is one of substantial complexity. . . ." His detailed memorandum on the subject to registrars makes it no less so. P. 4

Deadline for registration in the general election to be held next Nov. 6 is May 5, 1962. If the primary date finally is fixed on a day after Aug. 6, 1962, registration deadline also would be May 5, 1962. If the primary is held earlier, in counties where registrars have not filed the new voting list at the time of the primary, the registration deadline would be six months before the primary. However, "in those counties wherein the registrars have filed a new list at the time of the primary, the registration deadline would be on May 5, 1962."

Ga. 11-25-61

This, in effect, means that counties may use the May 5 cutoff date or another which is six months prior to the primary.

In this jumble of opinion, one fact stands out clearly. The State Democratic Executive Committee should set the date of the primary immediately and the September timing as suggested by Sen. Talmadge and others should be adopted. While it is ridiculous to end registration six months before the election, the voters should have some warning as to when the six months rule will apply.

Editorial

Under the circumstances, however, everyone who wants to vote next year should take steps to register immediately.

34e 1961 GEORGIA SAVANNAH-
CRUSADE FOR VOTERS (SEPARATE NEGRO ORGANIZATION)

Savannah Negroes Form Party

Constitution State News Service

SAVANNAH—A Negro political party has been informally organized in Savannah, according to Hosea Williams, official of the NAACP.

"The purpose of our party will be to advance the interest of Negro residents within this area," Williams said.

Williams related that the "political party may even put its own candidates in the next city election, or it will give endorsement to those candidates who are sympathetic with the Negro problems."

The Negro group was formed following a joint meeting of officials of the NAACP and the Crusade for Voters, a separate Negro organization.

The Rev. P. A. Patterson was named temporary chairman, and permanent officers are to be elected July 20 at a mass public meeting.

34e 1961

GEORGIA

AUGUST
ATLANTA- THE STUDENT MOVEMENT

Freedom Rides To Courthouse

P.6 Atlanta Daily

ARE YOU REGISTERED? Word

You Cannot Vote Unless You Are Registered

Fri. 8-11-61 attended, Ga

HAVE YOU:

Filled out a form at one of the Voter Registration Offices but have NOT gone to the Fulton County Courthouse to complete your registration?

HAVE YOU REGISTERED AT ALL?

If not, you cannot vote in the September 13, 1961, Primary.

VOTE FOR:

Mayor, Aldermen, School Board Members, and other City Officers.

Get On Board The Freedom Train

Listen to Radio Stations WERD and WAOK for instructions.
Cars, buses, taxis and limousines will leave from points throughout the city.
Schedules and pick-up stations will be announced over the radio.

TRANSPORTATION PROVIDED BY:

Diamond Cab Company,
Thornton Funeral Home,
Saint Paul of the Cross Bus,
Hanley Funeral Home (Bell Street)
Wheat Street Church Bus,
Haugabrooks Funeral Home,
Allen Temple,
Rockdale Baptist Church

The Fulton County Courthouse, Room 106, at Central Avenue between Mitchell and Hunter Streets will be open to register you:

Wednesday, August 9 . . . 8:30 a.m. to 5 p.m.
Thursday, August 10 . . . . 8:30 a.m. to 8 p.m.
Friday, August 11 . . . . . 8:30 a.m. to 8 p.m.
Saturday, August 12 . . . . . 8:30 a.m. to 5 p.m.

For full information call
The Student Movement Office, JA. 4-0207

MID-GEORGIA ASKS FAIR VOTING SET-UP

34e 1961 GEORGIA

Mid-Georgia Asks Fair Voting Setup

The Atlanta Constitution

P-1

By REG MURPHY
Constitution Political Editor

MACON—Middle Georgians asked the Georgia Legislature to adjust itself to shifting population and to allow their votes to be counted at the same value as everybody else's here Wednesday.

Mayor Ed Wilson, stung by one man's testimony that he was "proud" his vote did not count for as much as one in Echols County, [illegible] 8-10-61

"I feel that I am entitled to one vote, and I think I express the opinion of the vast majority of the people of this area in asking that everybody have one whole vote." Atlanta

Wilson's demand before a legislative study committee that equal weighting of votes was backed by every witness except Eugene Bostick, a civil service employe who said, "I am proud that my vote counts for only a small portion of a votee in Echols County."

And even Bostick returned to the witness stand to say he would like "A Utopia where every vote is counted the same but argued that Georgia could not afford to do away with the county unit system completely because political machines would spring up overnight.

The Atlanta

The testimony came as the Legislative Committee on Reapportionment opened a series of public hearings here. The committee moves to Augusta Thursday and on to Savannah Friday to complete the hearings. Thurs 8-16-61

During the testimony here, the committee headed by Rep. Frank Twitty of Mitchell County was urged to look at the Georgia political standpoint.

Macon city attorney Buckner F. Melton appealed to the committee to "examine the moral rights" and said, "I think the (county unit system) ought to be done away with."

And Melton argued with Bostick's declaration that Georgia has avoided the political machines like those which have dominated some Eastern states.

"Georgia is the perfect example of machine politics," Melton declared. "This state has been in the hands of a few people for many years."

Mrs. P. O. Holliday, president of the Macon League of Women Voters, said the present system of distributing legislative seats "fails to meet even the minimum standards of fairness."

She said the system of rotating Georgia's Senate elections among three counties in a district means that "only one-third of the citizens (have) a voice in electing a senator during any given term. This really doesn't seem like representative government."

CALLED KEY FACTOR

Furthermore, less than one-fourth of the population in Georgia elects the majority of the members of the House of Representatives, Mrs. Holliday added.

Wilson, urging legislative reapportionment, said he was not attacking the present legislators but felt some of them "are not caught up in the movement that is sweeping across the state."

He warned that the recommendations made by the legislative committee on apportionment and subsequent legislative action on it would be one of the key factors in the state's future.

The young Macon mayor pointed out one area where he feels the state has lost the grasp of what is happening.

PAVING CITED

"We are spending money to educate young people in agriculture when there isn't a prayer that they can stay on the farm and make a decent living," Wilson said.

He added that smaller surrounding towns have been able to pave nearly all their streets with 100 per cent state money, but cities which are growing are denied those funds.

"The fears that the cities will try to bleed the smaller areas are ill-founded," Wilson said. Rather, he added, all sections should share alike.

He pointed to North Carolina where, he said, the state set up good consolidated schools 30 years ahead of Georgia and started a rural roads program 20 years ahead of Georgia.

COUNTY UNIT HIT

Calling the South "the real New Frontier," Wilson warned that the state may fail to realize its potential unless the committee and the Legislature adjust Georgia politics to new situations.

He said the county unit system of elections has failed to save rural areas. "The population has continued to move to our urban areas, and there are not many job opportunities in the rural areas."

There is evidence, Wilson said, that "rural areas have fared better in some of our sister states where they have counted all votes alike."

The Macon meeting was rather sparsely attended, but a larger group is expected in Augusta Thursday, where Mayor Millard Beckum will call for changes in the legislative apportionment and adjustments in the county unit system.

Telfair Ordinary, Clerk, 14 Others To Face Trial

Vote Fraud Case Set In October

The Atlanta Constitution

Two election officials and 14 poll workers of Telfair County are scheduled to go on trial in Federal Court in Dublin in October on charges of voting irregularities in last November's general election.

U.S. District Attorney Donald Fraser said Tuesday the exact trial date had not been set but that it would be in the term of Federal Court which opens in Dublin Oct. 2.

The Justice department announced names of the Telfair officials in Washington Tuesday. They were indicted by federal grand jury in Savannah by sealed indictment Monday night.

NAMED IN COUNT

Judge Eli Willcox of the Court of Ordinary of Telfair County, and Lewis B. Seay, clerk of Telfair Superior Court, and the 14 poll workers were named in one count of the indictment charging conspiracy against the rights of citizens.

The 14 pollholders also were named in a second count of the indictment which charged actual deprivation of rights of voters.

These pollholders were named in the indictment:

Charles Milton Walker, John Swain Drew Sr., Thomas Edison Evans, Alvin Curtis Knowles, Arthur Allen Marchant, Gene Maurice Williams, John Morris Williams and John Harold Clarke, all from Milan Precinct, and James Franklin Selph, Elton Bradley Shepherd, Eddie M. Vaughn, Preston Leonard Vaughn, William L. Maloy and Morgan Yawn, all of Temperance Precinct.

BROTHER OF SHERIFF

Charles Milton Walker is a justice of the peace and is brother of Telfair Sheriff John B. Walker, who was opposed by an independent candidate in the November general election.

The two-count federal indictment charged fraudulent casting and counting of ballots.

The indictments followed reports by Pulitzer Prize-winning Jack Nelson of The Atlanta Constitution that persons long dead or no longer living in the county had been voted in last November's general election.

TWO PRECINCTS

Nelson singled out two precincts — Milan and Temperance — and proceeded to document his stories with affidavits and other statements.

The Montgomery Advertiser

In 1947 George D. Goodwin, then with The Atlanta Journal, won a Pulitzer Prize for an expose of Telfair voting conditions.

In McRae, county seat of Telfair County, Judge Willcox said: "Well, I don't know what the procedure will be. I have never been indicted before. We are just waiting to see what will happen. All I know is unofficial. I haven't received any official news."

SUGGESTS CALL

Willcox suggested that his attorney, Preston Rawlins, be called. Rawlins who is county attorney, is also attorney for the others indicted.

Attorney Rawlins said he had not "seen a copy of the indictment. I've talked with the district attorney (U.S. District Attorney Donald Fraser in Savannah) and all of the defendants will appear before the U.S. Commissioner in Dublin to post bond whenever he says."

Chief Deputy Marshal LeRoy Williams said the marshal's office received the warrants Tuesday afternoon, but did not plan to serve them immediately. "Maybe we'll go up there tomorrow," he said.

U.S. Marshal James F. Brophy said arraignment hearings on the 16 would be held in Dublin Wednesday before U.S. Commissioner Hazel Fordham.

Marshal J. F. Brophy was out of Savannah on another case and could not be reached by phone.

In Dublin, Mrs. Hazel Fordham, U.S. commissioner, said she had been in her office all day Tuesday "expecting the Telfair folks" but she had not heard from any of them.

RESOLUTION ISSUED

In announcing the indictments in Washington, Attourney General Robert F. Kennedy said the grand jury in Savannah also issued a resolution asserting that the county's board of registrar and the deputy registrar failed to register voters properly or purge voters' lists of ineligible names.

The first count charged conspiracy against the rights of citizens and named all 16 defendants.

It carries a maximum penalty, upon conviction, of $5,000 fine and 10 years in prison.

The second count charged actual deprivation of rights and named only the 14 pollholders.

Maximum penalty for this is a $1,000 fine and one year in prison.

INTENSIVE PROBE

The grand jury action in Savannah followed an intensive probe of Telfair voting practices by the Justice department and agents of the Federal Bureau of Investigation.

"An extensive investigation of allegations of voting irregularities in Telfair County was conducted by the Justice department," Kennedy said in his announcement.

"The essential facts then were made known to local officials so that they might examine them and take whatever action they deemed appropriate," the attorney general continued.

CASE SUBMITTED

"Only after it was evident that no positive action would be taken by the local officials under state law was the case submitted to a federal grand jury."

A Telfair grand jury made an investigation. It reported that it found evidence of election irregularities but not enough to indict anyone under Georgia law.

Kennedy said the indictment charged that all the defendants conspired to cast and count, and permit others "to cast and count forged, fraudulent and fictitious votes for the presidential and vice-presidential electors."

The second count charged the 14 pollholders with executing the conspiracy, by casting and counting the fictitious votes.

The effect of these fictitious votes was to "dilute, diminish and destroy the value and effect of the votes legally cast," in violation of the constitutional rights and privileges of the legal voters, the indictment said.

In unanimously adopting a resolution criticizing election procedures, the 23-member grand jury said it did not find "probable cause sufficient to indict for any federal violation the three members of the Board of Registrars or the tax commissioner, who is the deputy registrar.

CITES EVIDENCE

"Nevertheless," the resolution continued, "we have had sufficient evidence presented to indicate that the Board of Registrars and the tax commissioner have been grossly dilatory and negligent in the performance of their duties under state law in failing to properly register voters and in failure to purge the voters' list of names not entitled to be thereon."

Georgia Election Officials Indicted For Voting Frauds

The Montgomery Advertiser

L 2 A

DUBLIN, Ga. (AP) — Sixteen persons under federal indictment for vote fraud in Telfair County will go on trial here Oct. 2.

Two election officials and 14 poll workers were named in the indictments. All made bond of $1,000 each Wednesday at arraignment hearings before U. S. Commissioner Hazel Fordham.

Counsel for the 16 said there was no intentional frad committed. Preston Rawlings, Telfair County attorney, cited election figures which he said showed there was no reason for fraud because neither the general or local election was close.

In the presidential election, President John F. Kennedy carried Telfair County 2,922 to 791 for Republican Richard Nixon.

Rawlings said there was little interest or contest for county offices. Sheriff John B. Walker, brother of one of the indicted poll workers, won easily over two independent candidates. Walker received 3,111 votes, Howard Spires 345 and Jack Walker 25.

All of those indicted were charged with conspiring to cast and count and permit others to cast and count forged, Fraudulent and fictitious votes for presidential and vice presidential electors.

Montgomery Ala.

A second count charged the 14 poll workers with executing the conspiracy by casting and counting the fictitious votes.

The indictments followed news stories by an Atlanta reporter that persons long dead and others who had moved from the county has been voted in the November general election.

State Rep. Wimbric J. Walker of McRae said the 16 persons indicted are "our finest citizens" and said they were indicted "by the Atlanta newspaper giants of the north."

He added: "However I feel certain they will be acquitted by people in our section of Georgia when all the facts are known. I feel certain at least a thousand Telfair countians would have gladly signed their bonds."

16 in Telfair Case Released on Bond

The Atlanta Constitution

P. 1

Constitution State News Service

DUBLIN—Sixteen persons accused of vote fraud in Telfair County by a federal grand jury were arraigned before the U.S. commissioner here Wednesday and were released on bonds of $1,000 each.

U.S. Commissioner Hazel Fordham said that "there are about two people volunteering to be bondsmen for every defendant here in my office. They all came up from Telfair County to sign the bonds."

Mon, 8-3-61

Two election officials and 14 poll workers were indicted Monday by the federal Grand Jury sitting in Savannah. Warrants were issued for the 16 and served Wednesday by U.S. Marshal J. F. Brody. Trial for the defendants will be held in Dublin in October.

Atlanta, Ga.

An observer in Dublin said that "at least 20 carloads of folks came here from Telfair. The motorcade was led by the marshal."

The observer said that so many came that all could not get in the office where the commissioner arraigned those indicted. Only five bondsmen were needed.

Bondsmen who signed for the 16 were listed by Commissioner Fordham as Wimbric J. Walker, state representative from Telfair County and a son of Sheriff John B. Walker; Jack M. Walker, another son of the sheriff and chairman of the Telfair Democratic Executive Committee; Sam Knowles; D. M. Williams and H. M. Harrell.

The two Walkers are nephews of one of the indicted poll workers.

State Dean Rusk held lengthy talks with Tunisian Defense Minister Bahi Ladgham Wednesday in an effort to end the crisis over Bizerte.

Administration sources reported that the gap between the French and Tunisian positions was "still wide."

But they indicated that the

fraud because neither the general or local election was close.

In the presidential election, President John F. Kennedy carried Telfair County 2,922 to 791 for Republican Richard Nixon.

Rawlins said there was little interest or contest for county offices. Sheriff Walker, brother of one of the indicted poll workers, won easily over two independent candidates. Walker received 3,111 votes, Howard Spires 345 and Jack Walker 25.

FICTITIOUS VOTES

All of those indicted were charged with conspiring to cast and count and permit others to cast and count forged, fraudulent and fictitious votes for presidential electors.

A second count charged the 14 poll workers with executing the conspiracy of casting and counting the fictitious votes.

The indictments followed news stories by Pulitzer Prize winning reporter Jack Nelson of The Atlanta Constitution that persons long dead and others who had moved from the county had been voted in the November general election.

State Rep. Walker of McRae called the 16 under indictment "our finest citizens" and said they were indicted "by the Atlanta newspaper giants of the North."

FEELS SURE OF ACQUITTAL

He added: "However, I feel certain they will be acquitted by people in our section of Georgia when all the facts are known. I feel certain at least a thousand Telfair Countians would have gladly signed their bonds."

The vote fraud indictment consisted of two counts.

The first count charged conspiracy against the rights of citizens and it named all 16 defendants.

These defendants are Judge Eli Wilcox, ordinary of Telfair County, who, the Justice Department said, was responsible for the general supervision of the election; Lewis Seay, clerk of Telfair Superior Court, and 14 poll workers.

The poll workers indicted are:

Charles Milton Walker, John S. Drew Sr., Thomas Edison Evans, Alvin Curtis Knowles, Arthur A. Marchant, Gene Maurice Williams, John Morris Williams and John Harold Clark, all from the Milan precinct.

Also, James Franklin Selph, Etlon Bradley Shepherd, Eddie Marice Vaughn, Preston Leonard Vaughn, William L. Maloy and Marvin Yawn, all of the Temperance precinct.

Junior voters hold first registration conference

ATLANTA, Ga. — The Atlanta Junior Voters League, offspring of the parent Atlanta Negro Voters League, held its first annual conference on registration and voting March 18. The youngsters heard speakers laud them for their efforts as they were urged to prepare themselves for leadership in the future.

Speaking at the one-day event were veteran rights lawyer A. T. Walden; Aldermen Goodwyn Cates; Bobby Jackson of Atlanta, a student at Florida A. and M. who has been actively engaged in youth activities in both Atlanta and Tallahassee, and W. H. (Chief) Aiken, co-sponsor of the AJVL.

THE CONFERENCE broke up into several discussion groups, with the following subjects and leaders:

The structure and operation of ward, precinct and block organization, R. A. Thompson, director of the Atlanta Urban League; techniques of registration and requirements for voting, Dr. C. A. Bacote of Morehouse College; candidates, platforms and issues, Dr. A. C. Banks, Morehouse, and the county unit system, Mrs. Rushton Coulborn of Atlanta University.

"The secret of first - class citizenship is the ballot," stated Mr. Walden. He said that older people have the experience but youth has physical energy and intellectual growth and enthusiasm. He told the students to prepare themselves well for "your country and your race."

Mr. Cates told the conference to study the operations and maintenance of city government, and Jordan reported on his stay at Mackinae Island, Mich., home of Moral Re-armament (MRA).

Other sponsors of the group are Mrs. P. Q. Yancey and Atty. Leroy Johnson.



JACKIE ROBINSON IN DECATUR, GEORGIA — The former baseball star is seen with DeKalb County Citizens Committee secretary Miss Rosetta Williams (left) and President Harvey Anderson following his appearance and address in Decatur, Ga. Robinson's appearance was in the interest of voter registration. (Photo by Perry)

Jackie Robinson aids in Ga. voter registration

DECATUR, Ga. — Baseball's famed Jackie Robinson, scored a hit here last week in the field of first class citizenship, and, while doing so, endeared himself in the hearts of DeKalb County residents.

Robinson flew here to give his moral support to the efforts of the DeKalb County Citizens Committee in increasing the number of colored registered voters in the county. As one DeKalb County resident put it, Jackie's appearance in Decatur was the biggest thing to ever happen to them.

A large crowd of adults and young people filled the main auditorium and basement of the Thankful Baptist Church to hear the former star of the Brooklyn Dodgers, and now New York business executive. Robinson received a standing ovation from the crowd on his arrival in the church, and upon completion of his address.

He reminded the audience of the significance and magnitude of the task undertaken by the DeKalb County Citizens Committee, and urged that all render support. "We have a job to do," said Robinson, "and the vote to the politician is like a dollar bill.

Chatham Negroes Rap Merger

Constitution State News Service

SAVANNAH—Negro groups protested annexation Wednesday as citizens here went to the polls to vote on an annexation proposal which could increase Savannah's population by 15,000.

Negro leaders passed out handbills urging this city's Negroes to fight annexation because the city was not given them equal status in all phases of city life. "We are for Savannah's progress but Negroes want to be considered in that progress too," the handbills read.

However, most of the Negro leaders indicated no opposition to annexation for its own sake. Their move was taken as an effort to show Negro voting power.

Involved in the annexation referendum are two areas in the southern portion of the city which, if annexed, would bring Savannah's population to about 140,000.

Polls closed at 6 p.m.

Jackie Robinson Thrills Decatur

Atlanta Daily World
Atlanta Ga. Date 4-18-61

By HARMON G. PERRY

Baseball's immortal Jackie Robinson scored a hit Sunday in the field of first class citizenship, and, while doing so, endeared himself in the hearts of DeKalb County Negroes for as long as his feats on the diamonds are remembered.

Robinson flew here to give his moral support to the efforts of the DeKalb County Citizens Committee in increasing the number of Negro registered voters in the county. As one DeKalb County resident put it, Jackie's appearance in Decatur was the biggest thing to ever happen to them.

A large crowd of adults (and kids) filled the main auditorium and basement of the Thankful Baptist Church to hear the former star of the Brooklyn Dodgers, and now New York business executive. Robinson received a standing ovation from the crowd on his arrival in the church, and upon completion of his address.

Robinson, who makes such appearances throughout the country in the interest of the overall struggle to achieve civil rights and first class citizenship for Negroes, was fresh from an appearance in Chattanooga, Tenn.

He reminded the audience of the significance and magnitude of the task undertaken by the DeKalb County Citizens Committee, and urged that all render support. "We have a job to do," said Robinson, "and the vote to the politician is like a dollar bill."

In his address Robinson told his listeners that Negroes had a responsibility to assume — no one Negro had it made until all Negroes were first class citizens — gave his reasons for supporting Richard Nixon in the past presidential election — praised Negro women — warned of the importance for Negroes to be prepared for the future — and lashed out at the waste of the talents of 20 million Negroes in the race with Communism.

"America," Robinson said, "is head and shoulder above any nation in the world. But it should worry about the 20 million Negroes who can help keep Russia behind us, least it will be behind."

He touched on economic power as one of the weapons the Negro could use in fighting his battle. "When prejudice begins to come forth the Negro's dollar will push it back." He said that unity would make the Negro as ready as anybody.

He had praise for Atlanta's Mayor William Hartsfield and other liberal whites for their stand of courage," but said that "these whites are also waiting for Negroes to pick up the ball and run. Your support of whites as these, will bring about a faster realization of our dream of first class citizenship."

Robinson criticized those Negroes who have been successful and achieved, but have forgotten where they came from. "No Negro has it made until the most underprivileged child in Decatur has it made."

Robinson denied being either Republican or Democrat, and criticized those who say they can deliver the Negro vote. He said his only interest lies in civil rights and fighting discrimination.

His advice to youth was to come prepared for what lies ahead for them when the barriers fall. He said that the day is not too far off when the Negro will be measured as an individual. "Youth must be reminded that we are sacrificing for them," he said.

Robinson's appearance climaxed a week of activity in DeKalb County that marked the beginning of the committeee's kick-off registration campaign. Reports from Chairman Harvey Anderson indicate that the campaign is picking up momentum, with a force of over 300 workers invading the 15 communities in the county flushing out potential voters.



LEAD HOWARD HIGH STUDENTS REGISTRATION OFFICE—Student leaders Rheba Johnson, Barbara Henry, Samuel Jamison and William Tucker set the example for their fellow Howard High students to follow. The quartet was among 116 students from Howard to qualify as registered voters. This number represented Atlanta and Fulton County Howardites. Thirty-six more living in DeKalb County followed suit. Miss Johnson is president of the senior class and Miss Henry is vice president of the Student Council. (Photo by Perry)

34e 1961

GEORGIA

OCTOBER

TELFAIR COUNTY

4 Officials in Telfair Plead Guilty, Are Fined $500 in Voting Frauds

The Atlanta Constitution Pt 1 Tues. 10-3-61

Atlanta, Ga.

Charges Against 12 Are Killed

By BILL SHIPP
Constitution State News Editor

DUBLIN—Four Telfair County election officials pleaded guilty in Federal Court here Monday morning to charges that they fraudulently cast and counted "fictitious votes" in last year's presidential election.

The four also entered pleas of nolo contendere (no contest) to charges of "conspiracy to injure and oppress citizens of the United States." Charges of voting irregularity against 12 other Telfair countians, including the ordinary and the clerk of Superior Court, were dropped at the request of the district attorney.

CLERK, ORDINARY CHARGED

The ordinary and clerk were charged with one count only in the federal indictment—that of conspiracy against the rights of citizens.

Federal Judge Frank M. Scarlett sentenced the four to five years' probation on the condition that each pay a $500 fine in 30 days. The judge also ordered that the four "shall not participate in any capacity in any election" for the next five years.

Those entering pleas Monday were Preston L. Vaughn, 29, poll manager of the Temperance Precinct during the election; Charles M. Walker, 58, manager of the Milan Precinct, and James E. Selph, 35, and Thomas E. Evans, 39, both poll workers in Telfair County.

PLEAS ENTERED

After pleas were entered by defense attorneys Preston Rawlins of McRae and Charles L. Gowen of Brunswick, District Attorney Donald Fraser announced that charges against 12 other Telfair countians would not be prosecuted "because of insufficient evidence."

Upon entering the pleas, defense attorneys pointed out to Judge Scarlett that none of the four had any previous convictions and that all were "good citizens" of Telfair County.

Pg. 2 10-3-61

Judge Scarlett said that he recognized that the four were good citizens but he warned that if "any of you ask me to reduce the sentence or the fines, I will increase them."

The Atlanta

There was standing room only in the federal courtroom when the pleas were heard, and the corridors outside were overflowing with spectators, mostly from Telfair County.

Constitution

An FBI agent, J. Henry Shank of Savannah, told the court that he had investigated charges of fraud in the Telfair election and had found evidence that nonresidents of Telfair had been voted in the election.

'FICTITIOUS VOTES'

Specifically, the four men pleaded guilty to the second count of a Federal Grand Jury indictment charging that they "unlawfully cast and counted and caused to be cast and counted forged, fraudulent and fictitious votes for the presidential and vice presidential electors."

The indictments against the 16 were returned by a federal grand jury in Savannah in August. Attorney General Robert F. Kennedy announced the indictments from Washington. Kennedy said at the time that the case was submitted to a federal court " . . . only after it was evident that no positive action would be taken by the local officials under state law. . . ."

A Telfair County Grand Jury earlier investigated charges of election irregularities and reported that while it was apparent that "irregularities" had occurred, the jury did not have sufficient evidence to say who was responsible.

DISCLOSED BY NELSON

First reports of the election irregularities were uncovered by Jack Nelson, a reporter for The Atlanta Constitution. Nelson found in his investigation that persons long dead or no longer living in Telfair had been voted in the election.

Election officials contended all along that "no intentional fraud" was committed in the election and in fact the general election had very little significance in Telfair County.

(President John F. Kennedy carried the county with 2,922 votes to 791 for Republican Richard Nixon.)

The 12 against whom charges were dropped Monday included Telfair Ordinary Eli Wilcox, Clerk of Superior Court L. B. Seay, John Swain Drew, Alvin Curtis Knowles, Arthur Allen Marchant, Gene Maurice Williams, John Morris Williams, and John Harold Clarke, of Milan; Elton Bradley Shepherd, Eddie Maurice Vaughn, William L. Maloy, and Morgan Yawn, all of Temperance.

15 Are Indicted by U.S. Jury In Telfair Vote Fraud Case

By JACK NELSON

SAVANNAH—A federal grand jury here returned a sealed indictment Monday charging conspiracy in the Telfair County vote fraud investigation.

The Constitution learned from an authoritative source late Monday night that about 15 person are named in the indictment.

Assistant Dist. Atty. William T. Morton of Augusta, who presented the case to the grand jury, told a reporter earlier that names of the defendants would not be released until they have been arrested.

He declined to say how many indictments were returned.

"I'm just a hired hand," Morton said, "Washington said no news on this."

Dist. Atty. Donald Fraser also said it was "against our policy" to announce the number of defendants until they have been arrested.

The grand jury probe climaxed a lengthy investigation by the FBI.

During the FBI's work in Telfair County, two Telfair political leaders—Jack Walker, local Democratic executive committee chairman, and Preston Rawlins, county attorney—went to Washington to ask Atty. Gen. Robert Kennedy to leave the matter in local hands.

When asked about the Washington visit by Walker and Rawlins, the Justice department announced the FBI investigation was continuing.

Walker and Rawlins and just about anybody who is anybody in Telfair politics were here Monday during the grand jury deliberations.

Walker and Rawlins were not witnesses.

Neither was County Commissioner Walter Dyal, but he also was present and told a newsman: "Our county stands indicted and I'm just here to be with them."

A witness was L. T. (Pete) Yawn, who said he related to the jury how he had tabulated the number of voters in the Milan precinct last Nov. 8.

In a series of articles exposing widespread voting irregularities in the Milan and Temperance precincts last December, The Atlanta Constitution quoted an affidavit by Yawn in which he said only 295 persons went in the polling place to vote, although the number of votes officially tabulated was 664.

Other witnesses included several persons who apparently were called to testify concerning names which The Constitution articles reported were fraudulently voted in the election.

One of the witnesses was Mrs. Jeff Bozeman, whose husband died more than four years ago. His name was on the official list of those who were supposed to have voted.

Another witness was H. O. Cravey, a DeKalb County school principal and former Telfair resident. His name and that of his wife were voted in Telfair although they said they did not vote there.

Other witnesses came from Bartow, Fla., Jacksonville, Fla., Albany and Milan.

Other officials subpoenaed included Tax Commissioner Henry Williams, Clerk of Court Louis Seay, Ordinary Eli Wilcox and Justice of the Peace Charlie Walker.

4 at Jeffersonville Acquitted in Voting

JEFFERSONVILLE — Four Twiggs countians, charged with allowing six persons to vote although their names were not on the qualified voters' list, were acquitted by Judge Harold E. Ward in Twiggs Superior Court here Wednesday.

The defendants were Claude S. Kitchens, now a county commissioner and a member of the county Democratic Executive Committee, E. P. Kitchens, J. D. Cranford and F. J. Thomasson, all poll holders in the Smith Precinct during the April 20, 1960 Twiggs Democratic Primary. ...

Judge Ward directed the verdict of acquittal because of insufficient evidence.

Defense Attorney Emory Rowland of Wrights moved for the directed verdict after the state rested its case.

The state called to the stand as witnesses five of the six persons named in the indictment as allegedly voting illegally in the primary.

Each testified that they did not live in Twiggs County at the time of the primary and that they voted in Smith District because they had always voted there.

Two of the witnesses live in a house on the disputed county line between Bibb and Twiggs County.

Judge Ward warned that in the future all election managers should be careful to follow the list of qualified voters furnished by the board of registrars.

FBI will probe Telfair, Ga., vote

ATLANTA, Jan. 2—(UPI)—A probe into reports of voting irregularities in the November election in Telfair County will be made by the FBI.

C. E. Weeks, special agent in charge of the Atlanta FBI office, said that the civil rights division of the Department of Justice ordered the preliminary investigation.

Weeks said he and other agents will interview Jack Nelson, Atlanta Constitution reporter, and others to determine if federal voting laws were violated. Nelson wrote a series of articles alleging numerous irregularities in Telfair County.

Vandiver Hit In Telfair Voting Case

A high official in Georgia's Republican Party charged Saturday that Gov. Vandiver brought on a federal investigation of alleged Telfair County voting frauds by failing to order an investigation himself.

Randolph Thrower, chairman of the Fulton County Republican Executive Committee, said that the FBI investigation "was invited by the inaction of the current Democratic administration in Georgia."

He said that "by their disinterest and inaction those Democrats have forfeited the critical right of Georgia to enforce its own voting laws and have in effect invited federal intervention."

* * *

HE SAID that Georgia Republicans were "embarrassed that things have come to such a state that the FBI has to step in and do our work for us."

And he added that in failing to investigate the state administration had also loosened "the stranglehold the one-party system has kept on Georgia politics for the last 100 years."

The FBI probe was ordered after Atlanta Constitution reporter Jack Nelson wrote a series of articles reporting that, in many instances in the November general election, voting inaccuracies turned up.

27,147 Voters Suspended For Not Voting Here

Mailed notices of the suspension of 27,147 registered voters who did not cast ballots in a federal, state or county election during the past two years have been sent by registrar Young Howell.

Of the number of suspended voters 19,765 are whites and 7,382, Negroes. Figures reveal the total registration for the 1959 general election was 143,076. The breakdown shows that of the total registration 108,434 were white and 36,642 Negro.

Voters who receive notices have until April 2, to seek reinstatement. This is a mere formality of appearing before the registrar. Those who return before the April deadline will be asked the question: "Is your address still the same?" and make an appropriate notation.

For those who do not make the deadline, it will be necessary to re-register.

U.S. Court Denies Plea For Referees

Protection Of Negro Voters Is Request Basis

MACON, Ga., Jan. 25.—(UPI)—A Federal judge rejected a Government request Wednesday that he appoint Federal referees to assure Negro voting rights in Terrell County, Ga.

The ruling was handed down by Judge William A. Bootle, the same jurist who recently ordered an end to segregation at the University of Georgia.

Judge Bootle issued an order last September 13 enjoining the Terrell County registrars from voter applicants. He said Wednesday he had no reason at this time to assume that the registrars were not complying with his injunction.

The judge turned down the request "without prejudice," enabling the Government to return to court with a similar request whenever it is determined the registrars are not acting in good faith.

Judge Bootle said the referee request made by the United States attorney general's office is not needed at this time. "In order to preserve a healthy federalism, no more findings or decrees should be made in this area of conflict between Federal law and state action than are necessary," the judge ruled.

The Justice Department, filed its original suit charging violation of Negroes' voting rights in Terrell County in 1958 under the Civil Rights Act of 1957. It returned to the court last August to ask for a further ruling under the 1960 act.

Bootle Rejects Referee For Terrell Voting

MACON, Ga. (UPI) — Federal District Judge William A. Bootle rejected a Justice Department request Wednesday that federal referees be appointed in Terrell County, Ga., to guarantee voting rights to Negroes.

Bootle said he had no reason to assume that the county registrars were not complying with his Sept. 13 injunction forbidding discrimination against Negro applicants.

The government request was rejected "without prejudice," a legal phrase which means the Justice Department can try again if it is determined later that the registrars are not acting in good faith.

Bootle said federal voting referees are not needed at this time.

"In order to preserve a healthy federalism, no more findings or decrees shoule be made in this area of conflict between federal law and state action than are necessary," he said.

The department filed its original suit in 1958, charging violation of Negro voting rights under the 1957 Civil Rights Act. The government won its suit last summer but returned to court in August to ask for a further ruling under the 1960 Civil Rights Act.

The latter request charged that there was a continuing pattern of discrimination in Terrell County.

Mayor Hartsfield Speaks At League Annual Meet Monday

Atlanta Daily World

Atlanta, Ga.

Jan. 26 1961

Mayor William B. Hartsfield, rounding out his fourth term at the helm of Atlanta's city administration, will be the principal speaker at the Annual Meeting of the Atlanta Negro Voters League, Monday, Jan. 30 at 8 p.m. in Wheat St. Baptist Church. This will also be the time for annual elections of the League.

A. T. Walden, co-chairman of the organization, has served in that position since it's origin in 1949 and will preside, but his illness, Rev. Wm. M. Jacson the other co-chairman will not be able to attend. A nominating committee, composed of Warren R. Cochrane, secretary; C. R. Yates, treasurer; J. H. Calhoun, assistant secretary; Leroy Johnson, parliamentarian; Q. V. Williamson, ward leader, and Mrs. Johnnie Yancey, youth advisor, will submit a slate of officers for consideration of the body.

Because of inclement weather, several of the wards have not been able to hold election consequently, postponement of their elections will be requested. Precinct 6-H, however will elect its officers this afternoon at four o'clock in the Educational Building of Ebenezer Baptist Church.

Voter registration will be the principal topic of discussion Monday night, with emphasis being placed upon the meeting of the executive committee of the All-Citizen Registration Committee Tuesday, January 31, at 7:00 p. m. in the West Side Whitehead Memorial Branch of the Butler Street YMCA.

Besides officers mentioned, others include: W. H. Aiken and Rev. W. J. Shaw, co-secretary; J. C. Daugherty, co-assistant secretary; H. I. Bearden, co-vice chairmen; Rev. A. S. Dickerson, chaplain; committee chairmen: Jesse Hill, Jr., registration; Chas. W. Greenlea, organization; J. R. Henderson, program; R. A. Thompson, objectives; Wm. A. Fowlkes, publicity; T. M. Alexander, finance; Ward One officers: Dr. R. L. Chamberlain, leader; J. Y. Ingram, member at large; Francis H. Smith, Rev. A. K. Williams, Rev. J. A. Warren, Cater Hill and Mrs. Martha Weems, precint leaders; Ward Two: Chas. Turner, leader; R. W. Smith, member at large; Wm. Jackson, precinct leader; Ward Three: Q. V. Williamson, leader; Rev. M. L. King, member at large; Geo. Rice, Sr., Mrs. Ruth Hunt, J. W. Gibbons, Otelius Shellman, James Gardner, B. F. Bullock, Rev. S. Randolph, Rev. J. F. Jacob, precinct leaders and Rod. B. Harris, precinct member at large.

Ward IV: R. L. Andrews, Sr., leader; Mrs. Elizabeth Martin, member at large; Bishop J. J. Hinsley, C. Starr, Ernest Brown, Rev. C. D. Colbert and Robt. Norwood, Sr., leaders; Ward Six: Rev. J. D. Grier, leader; Samuel A. Sheats, member at large; Ralph Williams and Clinton Batom, precinct leaders; Ward VII: Dr. C. Clayton Powell, leader; C. A. Scott, member at large; Machion S. Garrison, Sr., Rev. Calvin Williams, Rev. J. E. Garnett, Mrs. Gladys Powell and Mrs. Della Reynolds, precinct leaders. The officers make up the executive committee.

Voting Referee Request To Insure Voting Right Denied By Judge Bootle

Atlanta Daily World

Atlanta, Ga.

Jan. 26 1961

Judge Says No Reason Yet To Appoint Referees

MACON, Ga. — (UPI) — A government request that federal referees be appointed to assure Negro voting rights in Terrell County, Ga., was denied here Wednesday by Federal District Judge William A. Bootle.

Bootle, who handed down an order last Sept. 13 enjoining the Terrell County registrars from discriminating against Negro voter applicants, said he had no reason at this time to assume that the registrars were not complying with his injunction.

The judge turned down the government request "without prejudice" so that it might return to court with a similar request whenever it is determined that the registrars are not acting in good faith and that a federal referee might be needed.

Bootle said the referee request made by the U. S. attorney general's office is not needed at this time. "In order to preserve a healthy federalism, no more findings or decrees should be made in this area of conflict between federal law and state action than are necessary," the judge said in his ruling.

The Justice Department, which filed its original suit charging violation of Negro voting rights in Terrell County in 1958 under the Civil Rights Act of 1957, returned to the courts last August to ask for a further ruling under the 1960 act.

A later request charged that there was a continued paternor practice of discrimination existing in Terrell County. If upheld, this request would have led to the appointment of federal referees.

Bootle said he felt "charged with the duty of exercising a judicial discretion" in determining whether to uphold the government's latest request. He said this was especially true in view of what would be "far-reaching consequences," namely: "Conferring upon the federal court jurisdiction to pass on qualifications of a citizen to vote in state elections without any finding that the particular citizen had been denied a vote because of race or color."

It was explained that if voting referees registered voter applicants, the group would contain those who were not denied their rights as well as those who were.

Attorneys for the Terrell County registrars had objected to the government's request, claiming the section of the act providing for referees is unconstitutional.

Bootle said he did not find it necessary at this time "to decide upon the merits of the objections." He said that if his assumption that his earlier order will be obeyed is correct, he would never have to rule on the question of referees.

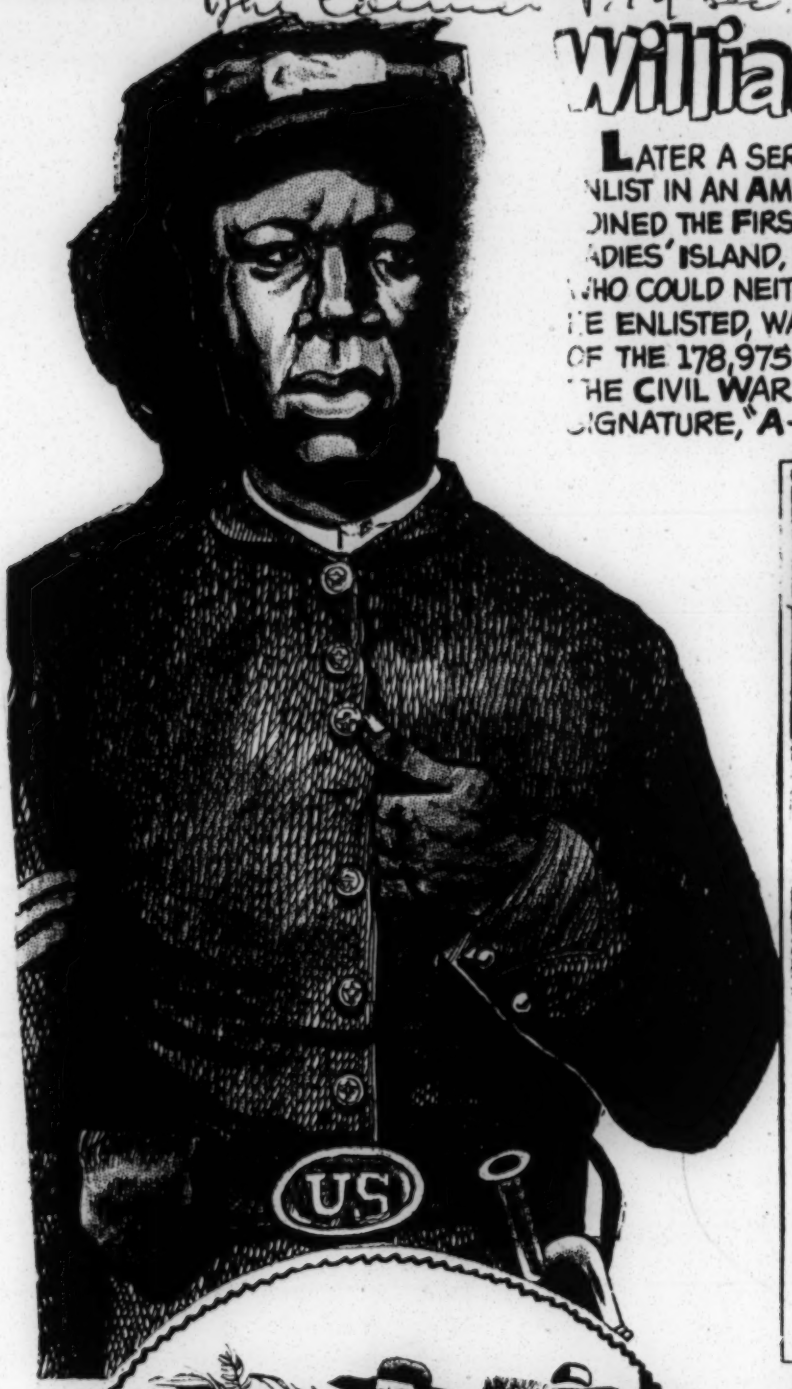
If incorrect and his earlier injunction is violated, he said, there will be time enough to consider the defense's legal objections to the motion by the federal government for referees.

Your History

By J. A. ROGERS
Illustrated by
A. Samuel Milai

Dates Back Beyond the Cotton Fields in the South . . . . Back Thousands of Years Before Christ!

Jet Courier p. 19 Dec. 2 Jet. 11-4-61



William Bronson

LATER A SERGEANT, WAS THE FIRST TO ENLIST IN AN AMERICAN BLACK REGIMENT. HE JOINED THE FIRST S. CAROLINA VOLUNTEERS ON LADIES' ISLAND, S.C., MAY, 1862. BRONSON, WHO COULD NEITHER READ NOR WRITE WHEN HE ENLISTED, WAS PROUD OF BEING THE FIRST OF THE 178,975 NEGROES WHO SERVED IN THE CIVIL WAR. HE USED TO ADD AFTER HIS SIGNATURE, "A-1, AFRICAN FOUNDATION."



ON 1867, THE WHITE PEOPLE OF WASHINGTON, D.C. VOTED 200 TO 1 NOT TO LET NEGROES VOTE. BUT CONGRESS, THEN ANTI-SLAVERY, GAVE THE NEGROES THE BALLOT OVER THE VETO OF PRESIDENT ANDREW JOHNSON. IN 1871, CONGRESS DISFRANCHISED BOTH "RACES" TO SETTLE THE DISPUTE.

Milai



TWO PORTUGESE MULATTOES, PEDRO BAPTISTA AND ANTONIO JOSE, ARE AMONG THE FOREMOST EXPLORERS OF AFRICA. THEY WERE THE FIRST ON RECORD TO CROSS THAT CONTINENT FROM OCEAN TO OCEAN. LEAVING PORTUGESE W. AFRICA, THEY TRAVELLED THOUSANDS OF MILES NEVER BEFORE PENETRATED BY CIVILIZED MAN, THEN SOUTHWARD TO PORTUGESE EAST AFRICA. THE JOURNEY TOOK NINE YEARS (1802-1811).

Send $1 plus 15¢ mailing cost to LINCOLN PARK STUDIOS, Box 4670, Pittsburgh 6, Pa., for Pocket-Size Book of this featur

34e 1961 HISTORIC

34e 1961

ILLINOIS

WEXLER GIVEN 7 DETECTIVES IN VOTE PROBE

Chicago Daily Tribune

Chicago, Ill.

Dec. 1-20-61

Plate Part 1

2d Aid Appointed by Special Prosecutor

Seven city detectives have been assigned to the special investigation by the state's attorney's office of vote fraud charges in the Nov. 8 election, it was disclosed yesterday.

Morris J. Wexler, special prosecutor, reported that the men were assigned to him late last week by Police Supt. Orlando W. Wilson. He said Wilson promised more men if needed.

34e

At the same time, Wexler announced the appointment of a second attorney to assist him in perusing Republican charges that there was widespread ballot stealing in the Presidential and state's attorney's races.

Picks La Grange Man

He named Frank A. Karaba, 34, of 723 S. Madison av., La Grange, a special assistant prosecutor. Warren L. Swanson was named an assistant earlier.



Wexler [left] and Karaba

Wexler said he will appear before County Judge Thaddeus V. Adesko at 10 a. m. tomorrow to file preliminary motions in his vote fraud check. It was learned that one motion would enable the city detectives to have legal jurisdiction thruout the county.

Wexler is functioning both as a special prosecutor for the county and as a special attorney for the city board of election commissioners. Adesko, as county judge, heads the election machinery.

Briefs City Detectives

The special prosecutor, who is a registered Democrat, said he spent Friday with the detectives, briefing them on election laws and procedures.

Karaba is a graduate of Northwestern university law school. He was law clerk to Chief Justice Walter Schaefer of the Illinois Supreme court from 1952 to 1953, then served as a special Illinois assistant attorney general during the investigation of the Orville Hodge scandal of 1956.

In 1952, Karaba was an assistant to the chief counsel of the city council's "Big 9" crime investigating committee.

Louisville Negro Breaks Vote Pattern

The Christian Science Monitor
2w 5-19-61
P. 3

By John Ed Pearce

Special to The Christian Science Monitor

Louisville

In 1921 A. D. Porter, a Negro undertaker ran for Mayor of Louisville on the Lincoln Independent Party ticket. He not only lost the election, but was beaten by both white and Negro ruffians, and as a result of his effort to break the dreary pattern in which the 20,000 Negro votes of Louisville were automatically delivered to the Republican Party, his business was boycotted and failed.

This month his son Woodford R. Porter became the first Negro chairman of the local Broard of Education.

"I was only three at the time and don't remember much about it," he says. "But I recall my father talking about the race, and about how his office was wrecked by a crowd on election night—a crowd of Negroes, not whites. They resented his efforts. But my father was among the first to see that nothing could be done for the Negro as long as a party could count on the automatic delivery of that vote."

Other Interests

Mr. Porter's interests, however, have not been primarily in the field of politics. After graduating from then - segregated Central High School, he attended the University of Indiana and the Kentucky School of Embalming and returned to Louisville to establish his own funeral home after serving for three years in the Navy.

Until 1958, when he made his first and successful race for the Board of Education, his main interests had been the Methodist Church, Masonic Lodge, National Association for the Advancement of Colored People, and his five children.

After deciding to run for the Board of Education in 1958, Mr. Porter severed his affiliation with the NAACP because, as he told local questioners, "I intend to be the representative of all citizens, not just the colored ones." The pattern of voting which produced his election, however, showed that there had been heavy "single-shot" voting in the city wards having a heavy Negro population, that is, voting for only one candidate for the three-man board, so as to cut down the total vote of other candidates while building the vote of one.

No Indications

During his term on the board, however, there have been no indications that Mr. Porter's race or racial views have produced conflicts between him and other board members. This is remarkable when it is considered that one of his fellow board members is Eugene Johnson, owner of local cafeterias that have been principal targets in recent sit-down demonstrations by Negroes protesting segregation in eating places.

Mr. Porter also participated in the hotly controversial decision to build a lavish high school in the eastern or "silk-stocking" section of the city in a location that practically accomplishes its racial segregation, and on a pattern that makes it three times as costly per pupil as nearby county schools. The plan has been specially criticized in sections of the city where children go to school in run-down buildings, some now nearly a century old.

This does not mean that Mr Porter has become a "me-too" member. He is an outspoken foe of a frequently proposed "academic high" for gifted students, on the grounds that it would damage the quality and equality of the current neighborhood high-school system. And he has continued to state his support for total integration of all phases of local life.

Respect Won

But he has won the respect of fellow board members, not all of whom have been known for their liberal racial policies, by his hard work, administrative sense, and fairness of viewpoint. When chairman Scott Detrick resigned to make the race for sheriff of Jefferson County, there was no opposition to the promotion of Mr. Porter from his post of vice-chairman. Significantly, his election came at a time when the city was torn by sit-in demonstrations and protest marches against racial segregation in business houses.

Said Mr. Porter, "I am not unappreciative of the implications of this honor."

Nor was Mr. Porter's selection the only bright spot in Louisville's until-recently troubled racial scene. The next day, the Rev. Mr. H. H. Greene, pastor of the R. E. Jones Temple Methodist Church, became the first Negro to head the Louisville Ministerial Association. A native of Louisville, and a 1929 graduate of Gammon Seminary, Atlanta, Mr. Greene has been pastor at Jones Temple for eight years, and before that was pastor of several churches in the Lexington area.

Chosen in a Baptist church to succeed an Episcopalian, Mr. Green said, "You have set a precedent in what you have just done. I shall always conduct myself in such a manner as not to cause you regret or embarrassment. I will depend rather largely on your help and guidance."

There was no dissenting vote in his election.

A 34e 1961

Madison Parish Charged In Suit

Justice Department Claims Negro Discrimination In Vote Procedures

By The Associated Press

SHREVEPORT, Oct. 26.—The Department of Justice, claiming that no Negroes had been registered to vote in Madison Parish in 36 years, Thursday filed a civil rights suit asking for an end to alleged discriminatory practices.

Madison Parish, a farming area in Northeastern Louisiana, has 5,181 Negroes of voting age. The suit charged that none had been registered while 81.4 per cent of the white persons of voting age had registered.

The suit, filed under the Civil Rights Acts of 1957 and 1960, named as defendants the state of Louisiana and Miss Katherine Ward, of Tallulah, registrar of voters in the parish.

Requires Identification

State law requires identification of registration applicants by two persons from their precinct or satisfactory identification. The suit said such rules were used for Negroes but not for white applicants.

The United States District Court was asked to ban any act of discrimination used in registering Madison Parish voters.

United States Atty. Gen. Robert F. Kennedy said in Washington that an attempt had been made to work the matter out with local officials in the parish.

"We have brought this action only after we were unable to achieve guarantees of the right to vote for all citizens in Madison Parish," he said.

21st Action Under Act

The action, the 21st of its kind since the Civil Rights Act was passed in 1957, was the 11th taken by the Justice Department since last March.

Miss Ward said she had not received formal notification of the suit and had no comment.

Thompson Clarke, of St. John, Madison Parish district attorney, charged that the Federal Government was trying to another Louisiana with such court proceedings finally reaching a point where proper defense will be impossible."

Mr. Clarke said Miss Ward had only complied with state laws which applied to both races. If Negroes are exempted from the registration practices, he said, there would be discrimination against whites.

U. S. Files Suit On Negro Vote

By The Associated Press

The Justice Department announced yesterday the filing of a Federal court suit accusing officials of discriminating against Negroes seeking to register as voters in Madison Parish (county), La.

Attorney General Robert F. Kennedy, announcing filing of the suit in Shreveport, said no Negro had been registered as a voter in the parish for at least 36 years.

He said the department acted only after failing to work "the matter out with local officials."

The suit, he said, specifically attacked the use of a system under which a person trying to register as a voter must be identified or vouched for by at least two registered voters.

"Under the customs and practices prevailing in Madison Parish, white voters do not assist Negro applicants for registration by identifying them to the registrar," the petition said.

The court was asked to forbid the use of the voucher system, and any other acts of discrimination involved in the registering of voters in the parish.

Latest available figures indicate 5,181 Negroes of voting age, compared with 3,334 whites, in the parish.

Named as defendants in the suit were Katherine Ward, the parish registrar, and the State of Louisiana.

Set La. Vote Hearing In 1961

Chicago Defender

WASHINGTON — The Commission on Civil Rights will resume its hearings into alleged denials of the right to vote in Louisiana, Chairman John A. Hannah announced.

The hearings were recessed in New Orleans on September 28 after 1½ days' testimony was taken. The resumed hearing has been scheduled for March, 1961, Dr. Hannah said.

During the September sessions the Commission took sworn testimony from 35 Negroes who charged that their right to register and vote in certain areas of the state had been denied because of race.

Dr. Hannah said, "We are merely taking up where we left off in September. When these hearings were first scheduled in July, 1959, Louisiana Attorney General Gremillion, other state officials as well as some private individuals, challenged the legality of the Commission's rules of procedure. The Commission won this lawsuit in the U. S. Supreme Court.

"When the hearing was held in September," Dr. Hannah continued, Mr. Gremillion rejected an invitation from the Vice Chairman at the hearing to testify. Likewise, the Louisiana State Sovereignty Commission did not choose to set its position before thee Civil Rights Commission, although invited to do so in advance of the hearing."

Dr. Hannah added that "the Commission feels it is now necessary to hear from these state officials and others."

U.S. Charges Negro Voter Intimidated

Jackson Daily News 34e

Jackson, Miss.

SHREVEPORT, La. (AP) — U.S. Dist. Judge Ben C. Dawkins plans to set a date today for a hearing on the federal government's suit charging a group of East Carroll Parish businessmen with intimidating a Negro farmer who tried to vote.

The hearing probably will be held in Monroe.

Atty. Gen. William P. Rogers asked for a permanent injunction against 11 individuals and 11 corporations.

The complaint filed in U.S. District Court here accused the defendants of coercing Joseph Atlas, 56-year-old Lake Providence cotton farmer, who told the U.S. Civil Rights Commission in New Orleans last September about what he called his unsuccessful attempts to register.

COTTON GINNERS

Rogers said the defendants, most of whom were described as cotton ginners on the complaint, had refused to gin cotton for Atlas since he testified.

The complaint also charged other defendants with refusing to sell goods and services to Atlas or to conduct ordinary business with him.

The suit, filed under the 1957 Civil Rights Act, was the fourth Justice Department move for injunctions to prevent intimidation and coercion of Negroes who tried to vote.

One defendant is Sheriff Howard Gilbert of East Carroll Parish.

Atlas, the father of 12 children, said he grossed $10,400 in 1959.

Government Files Suit In Behalf Of Farmer

The Call
K.C. Mo.

Charge Louisiana Business Men With 'Economic Coercion'

WASHINGTON. — (UPI) — The federal government filed suit yesterday charging 11 business men in East Carroll Parish, La., with using "serious economic coercion" against a Negro cotton farmer who testified at a Civil Rights commission hearing last September.

Outgoing Attorney General William P. Rogers said the suit was filed in U. S. District court at Shreveport, La.

The complaint accused the defendant of refusing to gin cotton for the farmer, Francis Joseph Atlas, 56, of Lake Providence, La., and of using other forms of economic coercion against him after he testified at a New Orleans hearing Sept. 27-28 on what he described as his unsuccessful efforts to become a registered voter.

The complaint alleged that John Gilbert, sheriff of East Carroll parish, told Atlas that cotton ginners of the area would no longer process cotton for him after his testimony. The coercion was applied, according to the government, for the purpose of discouraging Atlas and other Negroes in the area from trying to become registered voters or give information to the civil rights commission.

The 11 individuals, and a like number of corporations in East Carroll Parish, were charged with violating the 1957 Civil Rights act which prohibits economic pressure against a citizen attempting to exercise his voting rights.

Atlas is the father of 12 children and was described as active in community affairs.

The suit was the fourth brought by the Justice department under the economic boycott provisions of the civil rights law.

Assistant Atty. Gen. Harold R. Tyler Jr., who heads the department's civil rights division, said "in this case, the defendants who control the means of processing cotton and soy beans have shut off a citizen's opportunity to market his crops."

"Since this action was taken for the purpose of penalizing Mr. Atlas for his efforts to become registered to vote," Tyler added, "It is a violation of the Civil Rights act of 1957 and under this act the attorney general is authorized to bring suit to require the defendents to stop this practice."

The individual defendants listed in the complaint are: Baxter Deal, operator of Planters Butane Heat & Power Inc.; J. P. Brown, Gailliard plantation gin operator; Howard Gittinger and William T. Mitchiner, operator of Olivedell Planting Co. and Olivedell Gin; John Gilbert, sheriff of East Carroll Parish; George T. Hinder, part owners of Hinder Brothers Inc.; Kenner Howard, manager of Howard Gin Co.; Ebert M. Norris and John Terral, Farmer's Feed and Seed Co.; Luke Warren, Warren & Coody Grain Co.; and Andrew L. Yerger, Outpost Gin Co.

11 in Louisiana Sued for Bias

The Philadelphia Inquirer

WASHINGTON, Jan. 19 (AP). —A group of Louisiana businessmen were charged by Attorney General William P. Rogers on Thursday with intimidating and coercing a Negro because he complained about voting rights to the Federal Government.

Rogers announced that a suit to halt the alleged discrimination was filed against 11 individuals and 11 corporations in U. S. District Court at Shreveport, La.

The complaint says economic coercion has been inflicted on Joseph Atlas, a farmer in Lake Providence, East Carroll Parish, La. Atlas had complained to the Civil Rights Commission about what he called his unsuccessful efforts to register as a voter.

Most of the defendants were described as cotton ginners. Rogers said that all of them have refused to gin cotton for Atlas since he testified.

Louisiana Men Charged With Intimidating Negro

The News and Courier
Charleston, S.C.

WASHINGTON (AP) — A group of Louisiana businessmen was charged by Atty. Gen. William P. Rogers with intimidating and coercing a Negro because he complained about voting rights to the federal government.

Rogers announced Thursday that a suit to halt the alleged discrimination was filed against 11 individuals and 11 corporations in U. S. District Court at Shreveport, La.

The complaint says economic coercion has been inflicted on Joseph Atlas, a farmer in Lake Providence, East Carroll Parish, La.

Atlas had complained to the Civil Rights Commission about what he called his unsuccessful efforts to register as a voter. The hearing was held at New Orleans Sept. 28-29.

Most of the defendants were described as cotton ginners. Rogers said that all of them have refused to gin cotton for Atlas since he testified.

Other defendants, according to the complaint, have refused to sell goods and services to Atlas or to conduct ordinary business transactions with him.

Squeeze Put On Farmer Who Tried To Vote

The Louisiana Weekly
New Orleans, La.

SHREVEPORT, La. (AMP) — A sheriff and 10 businessmen last week were accused by the U. S. Justice Department of using "serious economic coercion" against a Negro farmer who tried to vote.

Federal District Judge Ben C. Dawkins took no action on a federal request for an immediate restrainer against the businessmen but said he would schedule a show-cause hearing on the suit in Monroe, La.

The division accused the businessmen of refusing to gin cotton or process other produce of the farmer, Francis Joseph Atlas, 56, of Lake Providence.

Atlas told a Civil Rights Commission hearing Sept. 27, that he was told he would have to get three registered voters to identify him in order to register to vote in East Carroll Parish.

The farmer said no white persons would identify him. There are no Negro voters in the parish, the division said, although 5,330 Negroes of voting age live there.

The federal complaint alleges Sheriff John Gilbert told Atlas the cotton ginners of the area would no longer process cotton for him after his testimony.

RIGHTS ACTION WON BY LOUISIANA NEGRO

New Times
New York

SHREVEPORT, La., Feb. 3 (UPI) — Ten business men promised in Federal District Court here today to end what the Justice Department called "economic coercion" against a Negro farmer who tried to vote in East Carroll Parish.

The pledge, filed by defense lawyers, had the effect of settling the dispute without actually closing the department's Civil Rights Division case against the business men and the parish sheriff.

The stipulations, filed before Federal Judge Ben C. Dawkins, promised "no further intimidation" on the part of the business men, who had been accused of refusing to gin cotton, process soybeans or supply butane gas for Joseph AAtlas, the farmer. Under the stipulations that refusal will end.

Mr. Atlas told the Civil Rights Commission at a hearing in September that when he tried to register to vote he was told that he must be identified by two registered voters. East Carroll Parish has no Negro voters.

Sheriff John Gilbert allegedly informed Mr. Atlas that it was because of his testimony before the commission that he would be unable to find processors for his crops.

U.S. Suit Charges Economic Boycott Of Louisiana Negro

WASHINGTON (UPI) — The federal government filed suit Thursday charging 11 businessmen in East Carroll Parish, La. with using "serious economic coercion" against a Negro cotton farmer who testified at a Civil Rights Commission hearing last September.

Outgoing Attorney General William P. Rogers said the suit was filed in U. S. District Court at Shreveport, La.

The complaint accused the defendants of refusing to gin cotton for the farmer, Francis Joseph Atlas, 56, of Lake Providence, La., and of using other forms of economic coercion against him after he testified at a New Orleans hearing Sept. 27-28 on what he described his unsuccessful efforts to become a registered voter.

The complaint alleged that John Gilbert, sheriff of East Carroll Parish, told Atlas that the cotton ginners of the area would no longer process cotton for him after his testimony. The coercion was applied, according to the government, for the purpose of discouraging Atlas and other Negroes in the area from trying to become registered voters or give information to the Civil Rights Commission.

The 11 individuals, and a like number of corporations in Carroll Parish, were charged with violating the 1957 Civil Rights Act which prohibits economic pressure against a citizen attempting to exercise his voting rights.

The individual defendants listed in the complaint are: Baxter Deal, operator of Planters Butane Heat & Power Inc.; J. P. Brown, Gilliard plantation gin operator; Howard Gittinger and William T. Mitchiner, operators of Olivedell Planting Co. and Olivedell gin; John Gilbert, sheriff of East Carroll Parish; George T. Hider Brothers Inc.; Kenner Howard, manager of Howard Gin Co.; Elbert M. Norris and John Terrall, Farmer's Feed and Seed Co.; Luke Warren, Warren & Coody Grain Co.; and Andrew L. Yerger, Outpost Gin Co.

Sues To End Race Label On Ballot

BATON ROUGE, La. — (ANP)— Bruce A. Bell, Negro candidate for election as state representative from East Baton Rouge parish, has filed suit in federal district court seeking a temporary injunction of Secretary of State Wade O. Martin from enforcing a state statute which requires a candidate to place on the ballot his racial designation. Bell chalelnges the constitutionality of the act.

Judge J. Skelly Wright did not ign a temporary restraining order but instead requested Judge Elbert R. Tuttle, chief judge of the U. S. Fifth Circuit Court of Appeals to hear the petition.

Civil Rights Case Settlement Made

MONROE, La. (AP) — A civil rights economic reprisal case in Northern Louisiana was settled Friday after U.S. Atty. Gen. Robert F. Kennedy sent a personal representative to work out an agreement.

The case involved charges of economic coercion and intimidation against 11 East Carroll Parish (county) men. Joseph Atlas, a 56-year-old Negro farmer, complained of economic pressure after he told the U.S. Civil Rights Commission he had difficulty trying to register to vote.

As a result of the agreement, Lake Providence merchants agreed to gin Atlas' cotton, buy his soybeans and supply him gas. Failure to do so previously had been among the grounds for the suit, filed Jan. 19.

Other details were not revealed, although one of the attorneys involved said the settlement was for the "good of both parties."

Louisiana Civil Rights Case Ends in Compromise

MONROE, La., Feb. 4 (AP)—Although it remains on the books, the government's case aaginst 11 northern Louisiana men has apparently ended with the decision to end alleged economic pressures on a Negro farmer who tried to vote.

Attorneys for the government and the defendants have agreed on a mutually satisfactory arrangement. The government agreed to stop pressing the case and Lake Providence merchants agreed to supply gas, gin cotton and buy soybeans from Joseph Atlas.

The Justice Department said the agreement was the first in an economic reprisal case.

* * *

ATLAS had charged he was subjected to economic pressure after he told the U.S. Civil Rights Commission in New Orleans last September that he was having trouble registering to vote in staunchly segregationist East Carroll Parish (county).

The government then filed a suit charging 11 East Carroll men with economic intimidation and coercion of the 56-year-old Lake Providence cotton farmer. The Jan. 19 suit was one of the last acts of outgoing Atty. Gen. William P. Rogers.

* * *

A KEY ROLE in the agreement was apparently played by the new attorney general, Robert F. Kennedy. Kennedy sent the first assistant in the civil rights division, John Doar, as his personal representative to settle the matter.

After an inconclusive meeting in Monroe earlier this week, tentative agreement was reached at a Lake Providence session Thursday. Friday's meeting made it final.

Already postponed once to give the defense more time to prepare its case, the case was due to come up in U.S. District Court in Monroe Monday.

U.S. District Judge Ben C. Dawkins last Thursday put the hearing off indefinitely. It could still take place, but court sources doubted if it would ever be held, unless the federal government thought the defendants were not living up to their side of the agreement.

Civil Rights Commission To Resume N.O. Hearings

WASHINGTON, D. C. — A special investigator for the Civil Rights Commission is now in New Orleans making preparations for the hearing which has been scheduled for about March 22. This will be the second such hearing in the state the other having been held in August of 1960.

Following this August hearing the commission merely recessed its hearing and did not adjourn. Hence all witnesses were still under the supervision of the federal commission. As a result of this a farmer who was harassed and unable to purchase gasoline, feed, farm supplies and unable to have his cotton ginned or sell his products appealed to the commission for assistance. The commission, after a conference, made it possible for him to proceed with his business of farming as usual. More witnesses are expected to be heard from at the March 22 hearing.

80,000 Voters Purged From State Rolls

Figures from the office of the board of registrars of the State of Louisiana show a drop of almost 80,000 in the number of registered voters in the state. Of this number 74,864 whites are shown as having been dropped while 7,657 Negroes suffered the same fate.

In Louisiana only half of the sixty or more parishes in the state have permanent registration and this year is the one for new registrations in many parishes. In many of these parishes Negroes have not registered at all and complaints about registration rules have been very prevalent. A drive to secure greater registration of Negroes in all Louisiana parishes is now underway over the state.

Louisiana voter hearing postponed

WASHINGTON, March 9—(AP)—The Civil Rights Commission has postponed a hearing in New Orleans on alleged discrimination against Negro voters in Louisiana.

Acting Commission Director Berl L. Bernhard said here yesterday the postponement was due to the inability to obtain a quorum of commission members for the March 22-23 hearing.

Last September, the commission heard 35 Negroes from scattered sections of Louisiana charge that their right to vote and register had been denied because of their race.

In Baton Rouge, Louisiana Atty. Gen. Jack Gremillion, attorney for the state's voter registrants, called for cancellation of further hearings.

"I know of nothing fruitful that could come out of further hearings," he said.

36,149 REGISTER TO VOTE IN N. O.

NEW ORLEANS, La. (ANP) - Voting records in New Orleans show that 36,149 Negroes have met registration requirements and 176,279 whites.

The largest registrations are in the seventh and ninth wards where there is the largest concentration of Negroes. In some wards it has been feared that new boundaries would be established to prevent Negro control of the wards.

36,149 Negro Voters On New Orleans Rolls

NEW ORLEANS (ANP)—Voting records in New Orleans show that 36,149 Negroes have met registration requirements and 176,279 whites. The largest registrations are in the seventh and ninth wards where there the largest concentration of Negroes.

Rights Hearing Delay Sought

BATON ROUGE (AP) — Atty. Gen. Jack Gremillion Monday asked a delay in a May 5 Civil Rights Commission hearing in New Orleans on alleged discrimination in vote registration.

In a telegram to John A. Hannah, commission chairman, Gremillion said he has an appointment at that time in Washington on offshore oil questions.

He said he would not be able to attend the New Orleans meeting to represent the registrars who have been subpoenaed from the parishes of Bossier, Caddo, Claiborne, East Carroll, Webster, Catahoula, Ouachita, Plaquemines, Madison, Red River and St. Helena.

REGISTRATION DIPS BY 81,901

16 Parishes Rolls Wiped Clean, Refilling Slowly

The number of registered voters in Louisiana dropped from 1,151,449 to 1,069,548 — a dip of 81,901 —in January as parishes without permanent registration began the reregistration process.

Sixteen parishes wiped their rolls clean and have begun placing voters back on the rolls. But this is a slow process.

One of them, St. Helena parish, faces an election on April 22 on whether to discontinue public schools because of impending desegregation orders. Local officials have urged a registration speedup.

Other parishes which have wiped their rolls clean included Caldwell, Catahoula, Concordia, East Carroll, Franklin, LaSalle, Lincoln, Madison, Morehouse, Pointe Coupee, Richland, Tensas, Webster, West Carroll and West Feliciana.

Thirty-nine parishes, including Orleans, Jefferson and Plaquemines, previously adopted permament registration under which new registration is not necessary every four years.

St. Bernard parish is one of nine where permanent registration becomes effective this year and registration rolls thus were frozen. The others are Cameron, Grant, Livingston, Red River, St. Mary, Vernon, West Baton Rouge and Winn.

In the 16 parishes where registration started anew, 1405 of the persons may not reregister because they are illiterate. The Legislature prevents illiterates from registering.

Of the 1405, there were 746 Negroes and 659 whites.

Statewide, the total white registration as of Jan. 31 was 86 per cent. It was 86.2 per cent on Dec. 31.

Attention, Qualified Voters

Absentee Voting is now under way in Orleans and Jefferson parishes for important elections coming up in April, but there will be no such voting today—Good Friday.

Registered Democrats in Gretna and Westwego have only three hours left—from 9 a. m. to noon on Saturday—to cast absentee ballots in the Gretna courthouse in a primary election for municipal offices. The election is on April 8.

Also in Jefferson, absentee voting will continue until April 5 in a general election for two state representatives and a West Bank councilman-at-large. For this election qualified voters may cast their ballots either in the Gretna courthouse or the East Bank parish office building, 3300 Metairie rd. Absentee voting hours for this election are from 9 a. m. to 4 p. m. on week days and from 9 a. m. to noon Saturday. The general election is on April 11.

Orleans voters who plan to be away from the city on April 15 may vote absentee between now and April 10 in a Democratic primary for councilman-at-large and a district councilman. Also to be voted on by qualified voters regardless of party membership are four proposed city charter amendments.

Voting is in the offices of civil Sheriff L. J. Scanlon, 408 Civil Courts bldg., Loyola and Poydras, from 9 a. m. to 4 p. m. on week days and from 9 a. m. to noon on Saturdays.

PLAN TO VOTE

Voters To Decide On Mixing Issue

GREENSBURG, La. (AP) — St. Helena Parish (County) votes Saturday on whether to discontinue public education rather than integrate schools.

The rural parish of 9,162 population, 55 per cent Negro, has developed into a testing ground on Louisiana's plan to shift from public to private education.

St. Helena will be the first to ballot under the new local option school closing law passed during Louisiana's marathon special legislative sessions held in largely unsuccessful efforts to stop racial integration.

Louisiana parish sued in rights case

WASHINGTON, April 29—(AP)—Atty. Gen. Robert F. Kennedy Friday brought suit against the State of Louisiana in a move to end alleged discriminations against Negroes seeking voting registration rights in East Carroll Parish (county).

The civil action, filed at Shreveport, charged an unusual "identification procedure" had been effectively used to prevent some 4183 East Carroll Negroes of voting age from getting on the voting rolls.

The suit said that, in order to register, Negro applicants are required to be identified by two previously registered voters. Since there are no registered Negro voters in the parish, and white registrants have been unwilling to act, Negro registration has been blocked, the complaint said.

THIS IS THE second voting discrimination case to be filed since Kennedy took office in January the eighth brought by the Justice Department under the 1957 and 1960 Civil Rights Acts, and the third for Louisiana.

East Carroll Parish figured in a previous voting rights action last January. At that time, the Eisenhower administration charged that an economic boycott was instituted against Francis Joseph Atlas, Negro farmer, after he had testified before the Federal Civil Rights Commission last Fall.

That action is still pending, but the Justice Department announced recently the numerous defendants named in it have agreed to end the boycott.

Feds Probe Vote Files In Louisiana, Discrimination Denied By Gremillion

The Montgomery Advertiser
Montgomery, Ala.

GREENSBURG, La. (AP) — Justice Department agents and Louisiana Atty. Gen. Jack Gremillion inspected St. Helena Parish voter records Thursday for possible discrimination against Negroes "with the State of Louisiana satisfied" there is none.

Gremillion, members of his staff and Justice Department agents F. M. Dunbaugh and H. J. Flannery spent about three hours inspecting the records of Parish Registrar Quitman Crouch.

The conference, as Gremillion called it, "was very pleasant. There wasn't one incident or note of discord. I have no way of knowing what the Justice Department men think, but we made everything they wanted to see available to them."

The inspection came when questions arose over the 1,572 voters registered for an April 22 election when the parish will vote on whether to let public schools stay open or close them for private, segregated schools.

Of the 1,572 registered, only 111 are Negroes and the question of discrimination arose.

"As far as Louisiana is concerned," Gremillion told the Associated Press in a telephone interview, "there is no discrimination. But if anything, more white people have been prevented from registering because they failed to meet requirements. We're convinced Mr. Crouch runs his office in a fair and impartial manner."

Gremillion blamed public apathy for the low registration. "There is a lack of any immediate state-wide or local or parish election and apparently the people felt there was no urgency for registering," the attorney general said.

MADE NO COPIES

Gremillion added that neither Dunbaugh nor Flannery made any comment to him on Thursday's inspection. Gremillion said they made no copies of anything inspected.

To illustrate the fluctuating registration in the parish — under federal court order to integrate its public schools — Gremillion cited these figures:

In 1956, he said, Negro voter registration totaled about 1,730 while in 1960 the figure had dropped to 1,237. He noted there is no industry "whatsoever in St. Helena, which is strictly an agricultural area."

One deputy sheriff, Gremillion said, had spoken to Negroes and asked them why they did not turn out to register and he said he was told "there just wasn't any election coming up that interested them."

U.S. Sues Louisiana On Voting

The Atlanta Constitution
Atlanta, Ga.

SHREVEPORT, La. (UPI). The Justice department accused the State of Louisiana and the East Carroll Parish (county) registrar of voters Friday of denying an estimated 4,183 Negroes the right to vote with a rigid identification rule.

The rule, according to a suit filed by the Justice department in U.S. district court at Shreveport, is that a Negro, to register to vote, must be identified by two persons from his precinct who are already registered.

A Negro can't find two persons to identify him, so no Negro ever gets registered to vote, the suit said.

The suit said white persons in East Carroll who want to vote may identify themselves with drivers' licenses, library cards and selective service cards.

U.S. Attorney General Robert Kennedy said in Washington that the Justice department first tried to find a solution out of the courts.

"This complaint was filed," he said, 'because we were unable to achieve voluntary compliance with the law."

The suit named Cecil Manning, parish vote registrar, as a defendant.

East Carroll has a total population of 14,433 and more than 60 per cent is Negro. There are 379 white persons currently registered to vote.

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LOUISIANA

SUIT

Federals File Voting Suit In Louisiana

SHREVEPORT, La. (AP) — The Department of Justice, claiming that no Negroes had been registered to vote in Madison Parish in 36 years, Thursday filed a civil rights suit asking for an end to alleged disciminatory practices.

Madison Parish, a farming area in northeast Louisiana, has 5,181 Negroes of voting age. The suit charged that none had been registered while 81.4 per cent of the white persons of voting age had registered.

The suit, filed under the Civil Rights Acts of 1957 and 1960, named as defendants the State of Louisiana and Mrs. Katherine Ward of Tallulah, registrar of voters in the parish.

STATE LAW

State law requires identification of registration applicants by two persons from their precinct or satisfactory identification. The suit said such rules were used for Negroes but not for white applicants.

The U.S. District Court was asked to ban any act of discrimination used in registering Madison Parish voters.

U.S. Atty. Gen. Robert F. Kennedy said in Washington that an attempt had been made to work the matter out with local officials in the parish.

"We have brought this action only after we were unable to achieve guarantees of the right to vote for all citizens in Madison Parish," he said.

1ST OF KIND

The action, the 21st of its kind since the Civil Rights Act was passed in 1957, was the 11th taken by the Justice Department since last March.

Miss Ward said she had not received formal notification of the suit and had no comment.

Thompson Clarke of St. Joseph, Madison Parish district attorney, charged that the federal government was trying to "smother Louisiana with such court proceedings finally reaching a point where proper defense will be impossible."

Clarke said Miss Ward had only complied with state laws which applied to both races. If Negroes are exempted from the registration practices, he said, then there would be discrimination against whites.

LOUISIANA ACCUSED OF DENYING VOTING RIGHT

Suit Says 4,183 Negroes Denied Right To Vote

SHREVEPORT, La. — (UPI) — The Justice Department accused the state of Louisiana and the East Carroll Parish County registrar of voters Friday of denying an estimated 4,183 Negroes the right to vote with a rigid identification rule.

The rule, according to a suit filed by the Justice Department in U. S. District Court at Shreveport, is that a Negro, to register to vote, must be identified by two persons from his precinct who are already registered.

A Negro can't find two persons to identify him, so no Negro ever gets registered to vote. No Negro is registered in East Carroll. Louisiana does not have a poll tax.

The suit said white persons in East Carroll who want to vote may identify themselves with drivers' licenses, library cards and selective service cars.

U. S. Attorney General Robert Kennedy said in Washington that the Justice Department first tried to find a solution out of the courts.

"This complaint was filed," he said, "because we were unable to achieve voluntary compliance with the law."

The suit named Cecil Manning, Parish vote registrar, as a defendant.

East Carroll has a total population of 14,433 and more than 60 per cent is Negro. There are 379 white persons currently registered to vote.

Friday's suit marked the second time East Carroll has figured in a civil rights case. Earlier this year the Justice Department instituted a suit against 11 individuals and several corporations, charging them with conducting an economic boycott against a Negro cotton farmer.

Only 14 Negroes Registered For Special Voting

WASHINGTON — UPI — The Justice Department is seeking to determine if Negroes are being denied the right to vote in a special election on school desegregation in St. Helena Parish (County), La.

Department officials said assistant Atty. Gen. Burke Marshall ordered the investigation to determine whether any federal voting laws have been violated.

The inquiry was ordered, they said, when it was reported that only 14 Negroes had registered for the special election scheduled for late next month. More than 1,400 white persons have registered.

Voters will express their views on whether the parish should close its public schools rather than comply wth a court desegregation order. Federal district court at New Orleans has ordered the desegregation of public schools in St. Helena which is about 60 miles north of New Orleans. No date has been set for the desegregation process to begin.

RIGHTS GROUP COMING TO N.O.

Hearing to Resume on Vote Curb Charges

Members of the US commission on civil rights will arrive here Thursday to resume a hearing into allegations of Negro citizens that they have been denied the right to vote and register in certain Louisiana parish[illegible]

The hearing starts Friday at 9 a. m. in the US court of appeals in the Post Office building. It will last two days.

The hearing recessed Sept. 28 after Negroes from mostly northern parishes in the state said they were discriminated against in vote registration offices.

Arriving Thursday, according to a commission spokesman, will be Dr. John Hannah, commission chairman, who is president of Michigan State unniversity; Rober Storey, vice-chairman, who is head of the Southwestern Legal Center in Dallas, and Robert Rankin, head of the department of political science at Duke university.

JUDGE WON'T TESTIFY

The spokesman said that he was uncertain whether the three other members of the commission would attend. They are Doyle Carlton, former Florida governor; Erwin Griswold, dean of the Harvard university law school, and Spottswood W. Robinson III, dean of the Howard law school.

The spokesman said that witnesses will come from the following parishes: Plaquemines, Bossier, Caddo, Claiborne, East Carroll; Jackson, Madison, Ouachita, Red River, St. Helena and Webster.

He said the district attorney of several parishes, including Plaquemines, may participate at the hearing.

Others expected are registrars of voters and state officials, in addition to the witnesses.

Meanwhile, Judge Frank M. Dougherty, Homer, second judicial district of Louisiana, said that he would not testify if he was called.

CALLS HEARING TRAP

He called the commission hearing a "trap" and said he would consider it his duty as a loyal American citizen not to testify.

Judge Dougherty's district includes Jackson, Claiborne and Bienville parishes.

The judge said that the commission was set up in a "hate the South" campaign in the 1957 Congress.

His statement pointed out that the parishes affected are in North Louisiana, which is under the jurisdiction of the US district court for the western district of Louisiana while New Orleans is in nthe eastern district.

"This raises the question, 'Why is a hearing primarily involving North Louisiana officials being held in New Orleans?' " he asked.

He answered by saying it was merely a "trap."

ENJOINED IN 1959

A three-judge federal court enjoined the commission from holding a hearing in 1959. The court held that such a hearing would violate "every element of natural justice" because the accused registrars were denied the right to face their accuser; to know what they were charged with, and to cross-examine those who were accusing them.

The United States supreme court lifted the injunction and "the commission is now free to hold hearings in North Louisiana," said Judge Dougherty.

He said that the registrars could refuse to testify by claiming immunity under the fifth amendment to the United States constitution.

Resume Vote Denial Probe Here Friday

The United States Commission on Civil Rights will resume its hearings in the U. S. Court of Appeals here at 9 a.m. Friday into allegations of Negro citizens that they have been denied the right to register and vote. The hearings are expected to end Saturday.

This week's hearings are a resumption of the proceedings which were recessed here Sept. 28, 1960 after one and one-half days of testimony was heard.

At that time, 35 Negroes testified they had been denied the right to register because of their race. They were residents of Bossier, Caddo, Claiborne, East Carroll, Jackson, Madison, Ouachita, Plaquemines, Red River, St. Helena and Webster Parishes.

According to Berl I. Bernhard, the commission's staff director, registration officals of the eleven parishes as well as state officials will be given an opportunity to testify at the hearings.

State Atty. Gen. Jack P. F. Gremillion had asked for a delay in the resumption of the hearing because of a scheduled appearance in Washington on Friday in connection with the tidelands dispute.

Gremillion's request, however, was not granted and personnel of the Commission on Civil Rights began arriving in the city early this week.

Rights Quiz Barrier Laid By Registrar

NEW ORLEANS, La. (AP)—An attractive middle-aged woman vote registrar used the Fifth Amendment Saturday and refused to answer U. S. Civil Rights Commission questions on voting procedures in a northern Louisiana parish (county).

Lonnie Linton of Homer, veteran registrar of Claiborne Parish, charged the legislation setting up the fact-finding group was passed in a "hate-the-South atmosphere" unparalleled since the reconstruction era.

A commission spokesman said it was the first time a witness under oath had invoked the Fifth Amendment in the nearly four-year life of the body.

"If you refuse to answer, it's useless to proceed," said John Hannah, commission chairman. He is president of Michigan State University.

She was excused without further questioning.

The commission ended a probe into alleged discrimination against Negroes who attempted to register in several Louisiana parishes. The Louisiana investigation started more than two years ago.

Mrs. Linton filed a statement through her counsel, Dist. Atty. Fred L. Jackson of Homer. She said she had not been advised of the nature of the accusations against her, had not been told who her accusers were, and had not been faced by her accusers.

She claimed her constitutional rights were denied and that the commission asked her to submit "to the ordeal of public 'hearing' similar to the public trial of Cuban patriots now being conducted by the Communist Fidel Castro."

Commission staff director Berl I. Bernard of Chevy Chase, Md., said latest registration figures available showed 30 of 5,032 nonwhites of voting age were registered in the parish. This compares with a registration of 5,735 of 6,415 white residents over 21.

He said two Negroes who testified last September they had not been allowed to register in Claiborne have since been put on the voting rolls.

Louisiana Voter List Shrinkage Is Probed

P. 2A The Washington Post
Dem.
3-30-61

By James E. Clayton
Staff Reporter

The Justice Department has begun an investigation into why 99 per cent of the Negro voters and 40 per cent of the white voters in a Louisiana parish were not registered to vote in a special election scheduled for late next month.

At the election, voters will express a preference on whether the parish should abolish its public schools rather than operate them under a court desegregation order.

The parish, St. Helena, is in a rural area about 60 miles north of New Orleans. It has been told to desegregate its schools, but no date has been set by the Federal District Court for the desegregation to begin.

Under a recently passed Louisiana law, parishes (counties) may abolish their public schools if they wish. Special elections are authorized to advise parish officials as to the voters' reaction to this.

In St. Helena, with a population of about 9000, there were 2478 whites and 1243 Negroes registered to vote in last fall's presidential election. When registration rolls closed last week for the special election, there were 1420 whites and 14 Negroes registered.

After reports of these figures and indications that there had been a slowdown in registering Negroes reached Washington, Assistant Attorney General Burke Marshall ordered a full investigation to see whether any Federal voting laws had been violated.

Plaquemine Registration Bias Target Of U.S. Suit

The Louisiana Weekly
P 1 34 c fa

Alleged voter registration bias in Plaquemine Parish, the bailiwick of arch segregationist Leander Perez, is the target of a suit filed Monday in the U. S. District Court here by the Federal Government. The action charges discrimination against Negroes and violations of the Civil Rights Act.

The government's suit, seeking an injunction against the alleged discrimination and asking a court order directing the registration of Negroes, was brought against Miss Mary Ethel Fox, registrar; Lionel L. Lassus, deputy registrar, and the State of Louisiana.

Dec. 10-21-61

The suit was signed by Atty. General Robert F. Kennedy, Burke Marshall, assistant attorney general in charge of the civil rights divison; U. S. Attorney M. Hepburn Many, and John Doar, an attorney for the Justice Department.

Also on Monday, the Federal Government filed a similar suit in the Northern Mississippi District Court at Oxford, naming Leonard C. Duke, registrar and the State of Mississippi as defendants.

In the Plaquemines suit, the government alleges there are 2,897 Negroes in that parish and only 45 are registered voters. There are 8,633 whites of voting age in Plaquemines and 6,714 of them are registered, the government charged.

"Since January, 1953, the defendants in conducting registration have engaged in racially discriminatory acts and practices," the government's petition said.

The suit alleges that the defendants were applying different and more stringent procedures and standards to Negroes than to whites in administering the requirement that applicants give a resonable interpretation of the constitutions of Louisiana and of the United States.

"DIFFERENT TREATMENT"

It also said Negroes were being rejected for errors of omission in completing registration cards while registrars were assisting white applicants to complete theirs.

The complaint asked for court orders forbidding such discrimination and requiring the defendants to register all Negro applicants who have the "qualifications of the least qualified white person" registered since January, 1953.

REGISTRAR "FAILED"

The FBI had been in Plaquemines Parish checking on testimony given to the U. S. Civil Rights Commission during hearings here last May.

At that time, Miss Fox, who had been registrar for three years, was questioned as a witness on her system of registering applicants. On the witness stand, Miss Fox failed to compute her age properly and, by her own standards, proved she should have rejected her own application for registration.

34 c fa.

Leander Perez, Sr., assistant district attorney for Plaquemines Parish, also participated in the May hearings.

In the Mississippi case, the government charges that in Panola County, more than 5,000 of the 7,639 eligible whites are registered, but that only 10 of the 7,250 Negroes are registered.

Here, too, the defendants are charged with applying different and more stringent standards to Negro applicants. Qualified Negroes have been denied the right to vote, the complaint said, and their applications have been discouraged or rejected.

Louisianians Study Voting Changes

The Advocate
Journal

BATON ROUGE (AP) — Louisiana leaders for states rights are considering possible election law changes including a split presidential elector ballot as a way to counter any minority-bloc voting.

P 11A

State Sen. E. W. Gravolet Jr., vice chairman of the joint legislative committee on segregation, Saturday gave a hint of what may be ahead.

Dem. 11-12-61

A new state watchdog committee on voter registration and elections will organize here Nov. 16.

The Department of Justice has been striking at what it charges is voter discrimination patterns in Bienville, East Carrol, Quachita, Plaquemines and Madison parishes — targets of federal court action under civil rights laws.

Miss. Journal
Dem.

After a long and bitter round with the federal courts last winter, in their unsuccessful efforts to halt public shcool desegregation in New Orleans, state strategists are looking toward future struggles. The 1962 legislature convenes next May.

For years, state segregation leaders said the only real answer in the ballot box.

In an interview, Gravolet said one of the major ideas to be considered involves the possibility of changing state laws so voters will select their presidential electors separately on a congressional district basis — instead of balloting for all 10 as a group, as they do now.

This would mean individual election of electors, with voters in each of the eight congressional districts balloting only for one district elector and the two at large statewide.

"It's the fairest way to select our electors and do away with minority bloc voting," he said.

Should such recommendations be made, he added, he was sure the legislature would approve.

"I think most Southern states, and some in the North, would favor the idea," Gravolet said. "It's just a matter of the liberals Vs. the conservatives, or the rural areas Vs. the big cities — with many cties controlled by minority bloc voting."

Governor Orders Make It Harder For Negroes To Register As Voters

Urge Written Test Be Demanded Of All Applicants

Louisiana Weekly
P 1 col 4 12-9-61
Jackson, Miss.,

Baton Rouge, La. Nov. 13 — Governor Jimmie H. Davis has ordered voter registrars thru out the state to use procedures which will make it more difficult for applicants to qualify as voters, it was revealed last week.

Other significant developments on the "franchise front" during the week are the denial by Orleans Parish vote registrar, A. P. Gillinghouse, that Negroes are victims of discrimination in his office; and the report by the State Board of Registration that there are now 1,073,547 voters registered in Louisiana as of September 30.

The governor, along with Lt. Gov. C. C. Aycock and House Speaker Tom Jewell, acting for the State Board of Registration in Baton Rouge last Thursday, adopted a policy of requiring written examinations of interpretations of sections of the U.S. and state constitutions. This procedure had been urged by a legislative committee on segregation. Reportedly, only Davis and Aycock signed the resolution.

Several weeks ago, Rep. John Garrett, segregation committee chairman, said his group had met in Baton Rouge to round out plans for uniform voter registration. His committee conferred with Frank Voelker, Jr., chairman of the state sovereignty commission, Aycock and Jewell.

Under the state law the governor, lieutenant governor and house speaker constitute the state board of registration.

The move was the first attempt to tighten, voter registration procedures since a new list of requirements was added in the form of an amendment to the state constitution in 1960.

Parents of illegitimate children within the past five years and persons convicted of more than one misdemeanor crime within the past five years are disqualified under the new provisions.

Parish vote registrars over Louisiana have no choice but to comply. They serve at the pleasure of the governor.

U.S. Files Suit To End Vote Denial In Louisiana

Parish With Not A Negro Voter Target

SHREVEPORT, La. — U. S. Attorney General Robert F. Kennedy last week brought suit against the State of Louisiana in a move to end discrimination against Negroes seeking vote registration rights in East Carroll Parish.

The civil action, filed in the Federal Court here, charges an unusual "identification procedure" has been effectively used to prevent some 4,183 voting-age Negroes from registering and voting in East Carroll Parish.

The suit, directed against the state and Cecil E. Manning, Lake Providence, East Carroll vote registrar, will be heard in Monroe, La.

In order to register, the suit charges, Negro applicants are required to be identified by two previously registered voters. Since there are no registered Negro voters in the Parish and white registrants have been unwilling to act, Negro registration has been blocked, the complaint stated.

"At the end of the last registration period, Dec. 31, 1960, there were 2,845 white persons and no Negroes registered to vote," the government complaint asserted. "As of the time of the filing of this complaint, there still are no Negroes registered to vote in East Carroll Parish."

This new action seeks to give Negro applicants for registration the right to identify themselves by "such reasonable means" as selective service cards, drivers' licenses, or library cards. The complaint said these have been accepted by the registrar in registration of white applicants.

East Carroll Parish figured in a previous voting rights action last January. At that time, the outgoing President Eisenhower administration charged that an economic boycott was instituted against Francis Joseph Atlas, a Negro cotton farmer, after he had testified before the Federal Civil Rights Commission in New Orleans last September.

Louisiana Attorney General Jack P. F. Gremillion said the state will fight the action "all the way." He commended Manning as an "excellent registrar of voters" and announced the intention of asking Dist. Atty. Thompson Clark, Sr. Joseph, La., of the Sixth District, to defend Manning.

Civil Rights Hearings Air Louisiana Cases

By Congressional Quarterly

WASHINGTON.

THE U.S. Civil Rights Commission, scheduled to go out of existence Nov. 8 unless Congress renews its mandate, recently published an 848-page record of its hearings on the voting rights of Louisiana Negroes.

The hearing record may shed light on why some Southerners are critical of the commission and oppose its extension, for the hearings appear to have concentrated on establishing a pattern of techniques used to curb Negro registration.

CQ

The hearings were held in New Orleans last September and in May of this year. They indicate that some time after the Supreme Court's 1954 decision outlawing public school segregation, segregation leaders came to the conclusion they might be able to block Negro integration moves by limiting Negro voting and registration, and thus curtailing Negro political influence in the state.

The method used was a drive for voter qualification laws." A leading figure was W. M. Rainach, who served both as chairman of a special joint legislative committee of the Louisiana state legislature and as president of the Association of Citizens' Councils.

Rainach, in his official capacity as head of the legislative group, told voting officials at a special meeting in Lafayette Parish that the drive was intended to win the fight for continued segregation. "The entire emphasis in the integration struggle is shifting to the field of voter qualification," Rainach said, "and the program we are beginning here today will prove the solution to our problem."

DISTRIBUTED at this official meeting was a book, written by Rainach and published by the Citizens Councils, called *Voter Qualification Laws In Louisiana*, and subtitled *The Key To Victory In The Segregation Struggle*. As a guide to administration of the constitutional interpretation test for applicants to register, the book stated: "Constitutional tests are a test of native intelligence and not 'book learning.' Experience teaches that most of our white people have this intelligence, while most Negroes do not." The book also stated as a fact that 90% of the registered Negroes "being used by the NAACP to control some of our elections" were registered illegally.

According to the hearing record (published Aug. 16), the Joint Legislative Committee and officials of the State Board of Registration held a series of meetings with local voting officials beginning in 1958-59 in order to push the voter qualification drive. At the same time, the Citizens' Councils began widespread challenges of the qualifications of Negro voters, both those already registered and those seeking to register, and succeeding in some cases in "purging" Negroes from the voting lists.

In all this activity the ostensible aim was simply to prevent unqualified voters from being registered, but numerous witnesses testified that qualifications were applied more stringently to Negroes than whites. Negro witnesses at the hearings testified that registrars hid from them when they attempted to register, locked the doors of the registration offices when they appeared, told them to "go to the sheriff," or shunted them from line to line and kept them waiting for long periods.

Many Negroes testified that registrars refused to accept regular identification like rent and tax receipts and instead required two registered voters to vouch for their identity. In parishes where there were few or no registered Negroes, this meant a Negro applicant had to find a white "voucher." When he did, he was often told that a person could vouch only once within a given period, and his voucher had already used up his legibility.

ANOTHER favorite device, witnesses testified, was the constitutional interpretation test. There was repeated testimony that registrars disqualified Negroes even though they gave apparently correct answers to questions on clauses of the Constitution. Negroes were also disqualified for minor clerical errors. One registrar said she would disqualify a Negro who wrote "brown" instead of "Negro" or "Colored" on a question about his color.

Many witnesses testified that while all these devices were applied to Negroes, whites often were registered without "vouchers" and without taking the constitutional interpretation test. Several registrars denied this.

The Justice Department, acting on its own under the 1957 Civil Rights Act (the commission is not connected with the department), has already filed four voting rights suits in Louisiana and won two of them. In Washington Parish, as a result of 1959 action, 1,377 "purged" Negroes were ordered restored to the voting lists. In Bienville Parish only last week (Aug. 21, 1961), a federal court ordered 560 Negroes restored to the lists. Two other suits are pending. One, in Oachita Parish, is scheduled for motions Sept. 8; the other, in East Carroll Parish, goes to trial Sept. 25.

Voting Curbs Charged In Two More Counties

The Justice Department yesterday charged two more Southern counties with discriminating against Negroes attempting to register to vote. One of the counties is Plaquemines Parish, La., the home of Leander Perez, that State's top segregationist leader.

The Department asked Federal courts in both Louisiana and Mississippi to issue orders telling officials of Plaquemines and Panola County, Miss., to register at least those Negroes who are as well qualified as some of the registered white voters.

In Plaquemines Parish, the Government said, there are 2897 Negroes and 8633 white persons of voting age. Of these, 45 Negroes and 6714 whites are registered.

The Government said that the registrar of voters three, Mary Ethel Fox, has applied different and tougher standards to Negroes than to whites, has rejected the applications of Negroes because of errors while assisting whites to complete their forms, and has refused to register qualified Negroes.

Miss Fox was the voting official who failed her own test when the Civil Right Commission asked her to demonstrate it at a public hearing early this year. She miscalculated her age by 25 days while Negroes were disqualified for miscalculating by one day.

Perez has long controlled the Bayou parish, which lies south of New Orleans.

In the case it filed in Mississippi, the Justice Department said that voting officials in Panola County were failing to give Negroes equal opportunity to register and were unreasonably delaying their applications as well as flatly refusing to register them.

The Department said that 10 of the 7250 Negroes of voting age in the county are registered while more than 3000 of the 7639 whites of voting age are registered.

Panola County lies in the Delta country of northwestern Mississippi.

DISCRIMINATION IN PLAQUEMINES CHARGED BY U.S.

Court Is Asked to Order Registering of Negroes

The department of justice Monday asked federal courts to forbid "discrimination against Negroes" seeking to vote in Plaquemines parish, Louisiana, and Panola county, Mississippi.

Attorney General Robert F. Kennedy said the Plaquemines parish case also asked the federal district court at New Orleans to order the registration of qualified Negroes whose applications have been rejected since January, 1953.

Named as defendants were Mary Ethel Fox, Plaquemines registrar; Lionel L. Lassus, deputy registrar, and the state of Louisiana.

MISSISSIPPI CASE

Kennedy said the department's Panola county complaint, filed in the Northern Mississippi district court at Oxford, named Leonard C. Duke, registrar, and the state of Mississippi as defendants.

In the Plaquemines case, the government maintained that although approximately 6714 of the 8633 eligible whites are registered to vote, only 45 of the 2897 eligible Negroes are registered.

The complaint said that since January, 1953, more stringent standards have been applied to Negro applicants than to whites and that the applications of qualified Negroes have been rejected in what the department of justice said was a "racially discriminatory manner."

Kennedy said the complaint also asserted that the defendants have assisted white applicants in filling out their applications, but have rejected Negro applicants for errors or omissions in their applications.

DISCRIMINATION CHARGE

The complaint asked for court orders forbidding such discrimination and requiring the defendants to register all Negro applicants who have the "qualifications of the least qualified white person" registered since January, 1953.

In Panola county the department said that more than 5000 of the 7639 eligible whites are registered, but that only 10 of the 7250 Negroes are registered.

The defendants in this case, the complaint said, also have applied different and more stringent standards to Negro applicants than to whites. Qualified Negroes have been denied the right to vote according to the complaint, and their applications have been discouraged or rejected.

The attorney general said the action, like the Plaquemines parish action, asked the court to find that such acts were committed pursuant to a pattern and practice of racial discrimination, and to issue orders forbidding discriminatory registration practices. Panola county, situated in the northwestern part of the state, is primarily an agricultural county.

Miss. Voter Suit Action Is Taken

OXORD, Miss. (AP) — The justice department filed suit in federal district court Monday asking a court order to prohibit discrimination against Negroes trying to register as voters in Panola county.

The government complaint contended Negroes were given more severe tests than whites and that officials have disqualified Negroes seeking to register without sufficient cause.

Louisiana Mix Ban Canceled

WASHINGTON — (AP) — The Supreme Court for the sixth time in nearly two years Monday knocked down attempts by Lousiana to block racial integration of its public schools.

The decision let stand a lower court ruling which declared unconstitutional two laws that permit criminal prosecution by the state of people who help or encourage the sending of children to integrated schools.

The high tribunal acted without hearing arguments. It merely issued a one-sentence unsigned ruling — apparently unanimous — upholding a decision handed down by a special three-judge federal court in New Orleans last May 4.

The court rejected a contention by Atty. Gen. Jack P. F. Gremillion of Louisiana that the Federal government has no business getting into the argument over the constitutionality of the two laws. Gremillion said the issues involved were strictly between citizens of Louisiana and the state.

The May 4 decision struck at a series of laws passed by the Louisiana legislature in an attempt to block school integration in New Orleans. That decision said all such state statutes are unconstitutional, particularly two acts passed by an extraordinary session of the legislature this year.

In another case, the court refused to review a $497,000 judgment against the United Mine Workers of America stemming from violence in Jellico, Tenn., some 50 miles north of Knoxville. A federal district judge held the UMW union responsible for violence in the Jellico area coal fields during 1959 and three coal firms sued the UMW for $4,360,000.

Ask U. S. to Restore Votes of 4,800 in La.

MONROE, La.—In a complaint filed by the U. S. Justice Department here, it was charged that some 4,800 Negroes were illegally purged from the registration rolls of Ouachita Parish by parish registrar Mae Lucky in concert with the white citizens council.

The justice department has asked that federal district court restore the Negroes to the registration lists.

In announcing the action at Washington, Atty. General Robert F. Kennedy said: "We have to ask for these court orders because even after considerable effort we have been unable to obtain effective guarantees from state and local officials that all residents of the parish will be allowed to vote on a fair and equal basis as required by law."

FILED UNDER the Civil Rights Act, the complaint names as defendants parish registrar Mae Lucky, the Citizens Council of Quachita Parish and the state of Louisiana. It charges that:

(1) The citizens council and registrar Lucky combined to remove some 2,700 names illegally in March and April, 1956, and

(2) Since early 1956, some 2,000 names have been removed unlawfully by the registrar. All were Negroes.

The complaint pointed out that although about 5,500 of the parish's 16,377 eligible Negroes were registered in January, 1956, only 725 were on the rolls last April 30. The number of white persons remained constant—approximately 24,000 out of 40,185 eligibles.

Meanwhile, Jack P. F. Gremillion, the state attorney general, charged the justice department's request would make a "mockery of Louisiana law." He claimed that over 4,000 white voters were challenged in the same period (although he didn't say how many of that number were purged).

This is the fourth case brough in Louisiana charging voting discrimination against Negroes.

SUIT CHARGES 4800 NEGROES IN LOUISIANA VOTE PURGE

Washington, July 11 — The U.S. Dept. of Justice, in a suit filed Tuesday, charged that nearly 4800 Negroes were illegally purged from voting rolls in a Louisiana parish by a Woman Registrar acting in concert with the White Citizens Council.

The suit filed in the Federal District Court at Monroe, La., as the court to restore the Negroes to the voters list, and to require the registration of other qualified Negroes.

Announcing the action, Attorney General Robert F. Kennedy said:

"We have had to ask for these court orders because even after considerable effort we have been unable to obtain effective guarantees from state and local officals that all residents of the parish will be allowed to vote on a fair and equal basis as required by law."

The complaint, filed under Civil Rights acts, names as defendants the Citizen's Council of Ouachita Parish in northern Louisiana. Registrar Mae Lucky and the state of Louisiana. The state was named because registrars are state agents.

Fourth Such Case

This is the fourth case brought in Louisiana alleging voting discrimination.

The Justice Department charged that:

1. The Citizens Council combined with Registrar Lucky to remove more than 2,700 names illegally in March and April, 1956.

2. Since early 1956, about 2,000 names have been unlawfully purged by Mrs. Lucky.

The complaint said that although about 5,500 of the parish's 16,377 eligible Negroes were registered in January, 1956, only 725 were on the rolls last April 30. The number of white persons registered remained constant — about 24,000 out of 40,185 eligible.

In Monroe, District Attorney Albin Lassiter of Ouachita Parish said other suits filed by the federal government "have been successfully fought by this parish five times — three times in the U.S. Circuit Court of Appeals and twice before the Civil Rights Commission.

"There has been no illegal purge in Ouachita Parish and we shall continue to fight."

Lassiter added that the Justice Department suit made no mention of white voters taken off the rolls and contended that more whites than Negroes had been removed.

Mrs. Lucky said the only Negroes taken from the rolls had either died, moved away or had not passed a ballot during a four-year period as required by the permanent registration law.

In the prior cases, Mrs. Lucky was exonerated of any discriminatory tactics in her voter roll clean-up, parish officials said.

PEREZ ASSAILS VOTER CHECKS

Says Aim Is 'Appointed Federal Registrars'

Leander H. Perez, Plaquemines parish political leader, charged Friday that the objective of the U.S. civil rights commission is a system of "appointed federal registrars."

He said that the presence of FBI agents in the parish, checking on voter registration matters, is part of "the scheme."

He said, "All that is intended is to register Negroes without complying with administrative procedures of having only qualified persons fill out their cards."

ANSWER NO QUESTIONS'

His remarks came as a campaign was started, in the name of the parish police jury president, Joseph Antonio of Pointe a la Hache, to instruct parish voters not to talk with FBI men.

The instructions, attributed to Antonio, stated:

"Two FBI agents are in Plaquemines parish 'checking' on registration of voters for the 'civil rights' (?) commission. Your registration is none of their business. Answer no questions. Tell them they are not welcome. Stand on your registration and right to vote."

FBI CONFIRMS CHECK

Harry G. Maynor, FBI agent-in-charge at New Orleans, confirmed that agents are checking registrations in Plaquemines.

"We are making some inquiries in Plaquemines parish in regard to voter registration at the request of Burk Marshall, assistant attorney general in charge of the civil rights division of the U.S. justice department," he said.

He said the agents have been in Plaquemines parish on two separate days thus far. Marshall was in New Orleans earlier this year.

Perez said that the police jury instructions to voters in the parish, that they don't cooperate with the FBI agents, was his own idea.

"Of course it was my own idea," he said. "Somebody's got to be thinking, somebody's got to be planning down there. No one else gives a damn."

CAN'T REACH ANTONIO

Antonio has apparently been dodging reporters for comment. He has failed to return calls left for him at his residence and at the police jury office in Pointe a la Hache.

Perez said the FBI agents "want to find out if white registrants are being helped and if such help is being denied Negroes in filling out registration cards."

The federal government, said Perez, "wants to put in its own system of federal registrars—of federal referees—taking us back to the carpetbag days."

The federal government, through the FBI, has "no right to harass the people," Perez said.

EARLIER CHECKS

Voter registration in Plaquemines was under investigation by the US civil rights commission earlier this year.

The parish registrar, Miss Mary Ethel Fox, was one of several Louisiana registrars who gave testimony at a hearing the commission conducted in May on charges of discrimination against Negroes attempting to register.

Produced at the hearing were figures showing that 44 Negroes registered out of a total 4135 nowawhite adults in the parish.

The white registration was 7010 out of a total white population of 8183.

"Two FBI agents are in Plaquemines Parish checking on registration of voters for the Civil Rights Commission. Your registration is none of their business. Answer no questions. Tell them they are not welcome. Stand on your registration and right to vote."

The FBI here confirmed that two agents were conducting an investigation in the South Louisiana parish.

A Civil Rights Commission investigation of Plaquemines voter registration earlier this year revealed only 44 of 4,135 eligible non-white voters, compared to white registration of 7,010 out of a white adult population of 8,183.

Plaquemines Voters Urged To Snub FBI

Civil Rights Inquiry Rapped In Paid Advertisement

NEW ORLEANS, Aug. 18. — (UPI) — The Plaquemines Parish (county) police jury urged voters in the parish Friday not to talk to two FBI agents investigating alleged Negro voter discrimination for the United States Civil Rights Commission.

A paid newspaper advertisement Friday, signed by police jury president Joseph Antonio, said

570 Negroes Reinstated On Vote Rolls

SHREVEPORT, La. (AP) — U.S. District Judge Ben C. Dawkins Jr., Monday ordered 570 Negro voters reinstated to the Bienville Parish voting rolls.

The 49-year-old judge ruled that a purge which removed the Negroes from the voting rolls in the north Louisiana parish in 1956 was illegal.

At the same time, Judge Dawkins said he deplored the "Negro practice of block voting, with which observant persons are familiar," but he said the factor "can not alter one whit our duty under the 15th Amendment to see to it wherever we are called upon to do so that there is no discrimination in voting registration because of race or color."

UPHOLDS U.S. CLAIM

His decision upheld a claim by the federal government that Negroes were denied the franchise in the parish because of race or color.

However, Dawkins, who had had the case under advisement since hearings last November, declined to appoint a voting referee or enjoin pro-segregation citizens councils from interfering with registration.

He enjoined Mrs. Pauline A. Culpepper, the parish voting registrar, from further discrimination and ordered her to restore voting rights to the Negroes. The government had filed the court action in June 1960 under the 1957 Civil Rights Act.

ALSO NAMED

In addition to Mrs. Culpepper, other defendants were the Association of Citizens Councils of Louisiana, the Arcadia Citizens Council, the Gibsland Citizens Council and 17 officers, directors and members of the councils.

Dawkins warned that the court would retain jurisdiction in the case "in the event they renew their unlawful activities."

The judge said Mrs. Culpepper "in her testimony vehemently denied that she had ever discriminated against Negroes because of their race . . . the truth is that she had done so continuously not only in the 1956 purge but even until the time this case was tried."

La. County Resists FBI Vote Probe

NEW ORLEANS, Aug. 18 (UPI)—The Plaquemines Parish (county) Police Jury urged voters in the Parish today not to tal kto two FBI agents investigating alleged Negro voter discrimination for the United States Civil Rights Commission.

A paid newspaper advertisement appearing today, signed by Police Jury President Joseph Antonio, said:

"Two FBI agents are in Plaquemines Parish checking on registration of voters for the Civil Rights Commission. Your registration is none of their business. Answer no questions. Tell them they are not welcome. Stand on your registration an dright to vote."

The FBI here confirmed that two agents were conducting an investigation in the South Louisiana parish.

A Civil Rights Commission investigation of Plaquemines voter registration earlier this year revealed registration of only 44 of 4135 eligible nonwhite voters, compared to white registration of 7010 out of a white adult population of 8183.

New Orleans Will Find a Way

Vote Clerks Still Flunk Negroes

NEW ORLEANS—Orleans Parish registrar of voters A. P. (Tim) Gallinghouse has denied that his office is practicing discrimination against Negroes trying to register. In the past several weeks however, large numbers of educationally-prepared people have been turned away.

● **Gallinghouse was appointed Registrar of Voters several months ago by Gov. Jimmy Davis, replacing the veteran Louis Knop. Observers saw the move at that time as a maneuver by the state administration to keep down the Negro registration in Orleans Parish.**

In recent weeks great efforts have been made by the Coordinating Council of Greater New Orleans to increase Negro registration. Last week, some Catholic churches announced their support in the drive to get more Negroes on the registration rolls.

● **In making his denial, Gallinghouse stated: "Certainly, I can understand and appreciate the disappointment of those applicants who do not qualify themselves to vote. I hope that they will take the opportunity to educate themselves."**

Some applicants said extreme technical points have been used against them to turn them away and discourage their efforts.

GALLINGHOUSE SAID, "It has been my consistent policy, without exception, to apply the same laws and administrative rules to all citizens, without regard to race, color, creed or political affiliation."

● **Negro teachers and professional people have complained that they were turned away by deputy registrars who informed them they had not properly filled out the applications.**

Schools on registration are being conducted throughout the city, with a central headquarters operated by the Coordinating Council of Greater New Orleans in the ILA Building on South Claiborne. Applicants are taught the proper way in filling out the applications.

THE REGISTRAR of Voters said charges of discrimination against his office were "without factual basis," but he did not say whether he had personally interviewed any Negro applicants, or checked his deputies on the job.

● **Negro registration in Orleans Parish has followed a set pattern for many years, never reaching the 40,000 mark, which would amount to nearly half the potential. Thousands of Negroes have been turned away at various times in their effort to register.**

Last week's registration schools, aided by church and civic groups, were moving ahead in efforts to get Negroes on the rolls before the deadline for the upcoming Municipal Elections.

Civil Rights Commission Resumes Louisiana Hearings On March 22

WASHINGTON, D.C. — Voting officials of eleven Louisiana parishes will be expected to testify before the U.S. Commission on Civil Rights when it resumes its hearings into alleged denials of the right to vote in Louisiana on March 22, Acting Director Berl I. Bernhard announced Wednesday.

In addition the omission will offer to other State officials the opportunity to present evidence on these matters.

Parishes expected to be represented are Bossier, addo, Claiborne, East Carroll, Jackson, Madison, Ouachita, Plaquemines, Red River, St. Helena, and Webster.

The hearings, which will be held in New Orleans in the U. S. Court of Appeals in the Post Office Building beginning at 9:00 a. m. Wednesday, March 22nd, will be a resumption of the proceedings which were recessed on September 28th after one and one-half days' testimony was heard.

During the September sessions the Commission heard sworn testimony from 35 Negroes who charged that their right to register and vote in certain areas of the state had been denied because of race.

WHERE LEFT OFF

In announcing the date of the hearing, Mr. Bernhard said, "We are merely taking up where we left off in September."

When hearings were first scheduled in July 1959, Louisiana Attorney General Gremillion, other state officials and some private citizens challenged the legality of the Commission's rules of procedure.

The U. S. Supreme Court held on June 20, 1960, that the Civil Rights Act of 1957 authorized the Commission on Civil Rights to adopt its rules of procedure, and that such rules as it adopted do not violate the Constitutional rights of a witness who has been subpenaed to testify at a Commission hearing. It based this conclusion on the premise that the function of the Commission is purely investigative and fact-finding rather than adjudicatory.

Mr. Bernhard, in discussing the Supreme Court's decision, said "the language of the Court is extremely significant.

"It says the Commission does not hold trials or determine anyone's civil or criminal liability. It does not issue orders. Nor does it indict, punish, or impose any legal sanctions.

"It does not make determinations depriving anyone of his life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights. The only purpose of its existence is to find facts which may subsequently be used as the basis for legislative or executive action."

Mr. Bernhard added that during the hearings in September, Mr. Gremillion made a public announcement that he thought the Commission was unfair in not calling for rebuttal testimony from registrars and other state officials.

"The resumption of the hearings and the appearance of additional witnesses gives us the assurance that the complete factual picture of the voting situation in Louisiana will be presented."

The Commission will hear the State officials and others at the two-day hearing scheduled for March 22-23rd. Attorney Robert G. Storey, head of the Southwestern Legal Center and former dean of the Southern Methodist University Law School, will preside at the hearings. He is vice chairman of the Commission.

The Louisiana Advisory Committee, under the chairmanship of former State Senator J. D. De Blieux of Baton Rouge, has scheduled a meeting in New Orleans at the time of the hearing. Other members of the Committee are Dr. Albert W. Dent, president of Dillard University; Mrs. Moise Cahn, civic leader; Bernard R. Ariatti, labor official; Rev. William T. Handy, Jr., minister, St. Mark Methodist Church, and Dr. Harold I. Lief, professor at Tulane University.

End Is Reached in Rights Case

Trial of East Carroll Group Is Postponed

LAKE PROVIDENCE, La. (AP) — Federal court hearing in which 11 East Carroll parish citizens are accused of using economic pressure against a Negro cotton farmer was suddenly postponed indefinitely Thursday.

Federal court sources said in Monroe, they doubt the case, already postponed once, will ever come to trail. The case was scheduled to be herd in federal court in Monroe Monday.

Frang Voelker Jr. of Lake Providence, attorney for about half of the defendants said merchants agreed to gin cotton, but soybeans and furnish gas to Joseph Atlas, whose complaint initiated the case.

10 CHARGED

The federal suit charged the defendants, 10 businessmen and the East Carroll parish sheriff, used economic coercion and intimidation against Atlas after the 56-year-old Negro told the U. S. civil rights commission in New Orleans last September he had difficulty registering to vote.

The suit was filed under the 1957 civil rights act, which dtals with protection of voting rights.

U. S. district Judge Ben C. Dawkins agreed to an indefinite postponement, worked out by defense attorneys and civil rights division officials in Lake Providence earlier in the day.

Dawkins last week delayed the hearing a week to give defense attorneys more time to prepare their cases.

NO DEPOSITIONS

were scehduled to take depositions in Lake Providence Thursday, but the two sides met instead. A meeting in Monroe earlier in the week ended in a stalemate.

The two sides will meet again Friday at the Monroe office. Voelker said he expected an "arrangement" to be worked out then, but he did not elaborate except to say that merchants agreed to gin Atlas' cotton, buy his soybeans and sell him gas.

Voelker is chairman of the state sovereignty commission, a state agency fighting for segregation and states rights. The commission is not involved in the case.

No deposotion were taken Thursday, although 15 witnesses were called, including West Carroll parish Sheriff J. R. Butler.

Seeks Voter Records In Louisiana

NEW ORLEANS — (ANP) — United States Attorney M. Hepburn Many filed a motion last week in federal district court asking that the registrar of East Feliciana parish be ordered to produce certain vote registration records for inspection and photographing by agents of the FBI.

In the motion the prosecutor pointed out that on July 18, 1960, Henry Earl Palmer, the registrar, was ordered to produce records for inspection and on that Aug. 8, 9, and 10, 1960, FBI agents inspected and reproduced certain records of the registrar's office.

On Sept. 9, agents of the attorney general's office asked Palmer for certain other records and the registrar refused to produce them. The justice department has alleged that many Negroes have been purged from the rolls in East Feliciana parish.

Voting Reprisal Lifted In Louisiana by U. S.

MONROE, La., Feb. 4 (AP). — Although it remains on the books, the Government's case against 11 northern Louisiana men apparently has ended with the decision to lift alleged economic pressures on a Negro farmer who tried to vote.

Attorneys for the Government and the defendants agreed yesterday on a mutually satisfactory arrangement. The Government agreed to stop pressing the case and Lake Providence merchants agreed to supply gas, gin cotton and buy soybeans from Joseph Atlas.

The Justice Department said the agreement was the first in an economic reprisal case.

The farmer had charged he was subjected to economic pressure after he told the United States Civil Rights Commission in New Orleans last September that he was having trouble registering to vote in East Carroll parish (county).

The Government suit against the 11 followed. It was one of the last acts in office of former Attorney General William P. Rogers.

A key role in the agreement apparently was played by the new Attorney General, Robert F. Kennedy. Mr. Kennedy sent the first assistant in the Civil Rights Division, John Doar, as his personal representative to settle the matter.

After an inconclusive meeting in Monroe earlier this week, tentative agreement was reached at a Lake Providence session Thursday. Yesterday's meeting made it final.

United States Judge Ben C. Dawkins last Thursday had put the hearing off indefinitely. It could still take place, but court sources doubted if it would ever be held, unless the Federal Government thought the defendants were not living up to their side of the agreement.

U.S. Agents Look At Voting Records

Public School Referendum Prompts Inspection

GREENSBURG, La., April 6. —(AP)— Justice Department agents and Louisiana Atty. Gen. Jack Gremillion inspected St. Helena Parish voter records Thursday for possible discrimination against Negroes "with the state of Louisiana satisfied" there is none.

Mr. Gremillion, members of his staff and Justice Department agents F. M. Dunbaugh and H. J. Flannery spent about three hours inspecting the records of Quitman Crouch, parish registrar.

The conference, as Mr. Gremillion called it, "was very pleasant. There wasn't one incident or note of discord. I have no way of knowing what the Justice Department men think, but we made everything they wanted to see available to them."

The inspection came when questions arose over the 1,572 voters registered for an April 22 election when the parish will vote on whether to let public schools stay open or close them for private, segregated schools.

Of the 1,572 registered, only 111 are Negroes and the question of discrimination arose.

"As far as Louisiana is concerned," Mr. Gremillion said, "there is no discrimination. But if anything, more white people have been prevented from registering because they failed to meet requirements. We're convinced Mr. Crouch runs his office in a fair and impartial manner."

Mr. Gremillion blamed public apathy for the low registration.

ST. HELENA VOTE CHECK IS TODAY

Gremillion to Accompany U. S. Attorneys

BATON ROUGE, La. (AP) — Atty. Gen. Jack Gremillion said Wednesday he will accompany two U.S. justice department attorneys in a check of voter registration records in St. Helena parish.

The justice department men Thursday will check whether less than 1600 voters are qualified to take part in a public referendum on a proposal to junk public education for a private, segregated school system.

Gremillion, Dist. Atty. Duncan Kemp, and Quitman Crouch, St. Helena registrar of voters, will meet the two attorneys in Greensburg at 9 a. m. to permit them to look over voter records for the past 22 months.

OKAY IS ASKED

John Doar, assistant attorney general for the civil rights division, asked permission to send Harold Flannery and Frank M. Dunbaugh to study the St. Helena records.

The probe apparently resulted from a suit filed in U.S. district court at New Orleans. The National Association for the Advancement of Colored People challenged the proposed local option election to close public schools and the constitutionality of a state law authorizing the election.

The St. Helena parish voter rolls were cleared in January. Only 1400 white persons and 14 Negroes registered, it was reported.

But Gremillion said he advised Crouch in a Jan. 9 opinion to replace some 95 Negro illiterates and 45 white illiterates on the rolls. This would bring the total registration to slightly less than 1600.

Gremillion said under the 1960 federal civil rights law the justice department has authority to inspect and copy registration records dating back 22 months.

But he said he plans to produce several witnesses to testify before the justice department representatives that none other than those registered showed up at the St. Helena registrar's office to qualify to vote.

DENIES REQUEST

"I know of no pressure, economic or otherwise," Gremillion said, "that has kept anyone in St. Helena parish from registering to vote."

He said he also acquiesced to a justice department request to copy voter registration records in Jackson and Claiborne parishes but denied a request that the attorneys be allowed to copy records "from time immemorial."

Justice Dept. Orders Probe Of Vote Rolls

Whether or not a population minority of white residents in St. Helena Parish will be allowed to determine the future of public education in that parish will be the paramount issue on which a three-judge Federal Court must decide here Friday.

Federal Judge J. Skelly Wright has set a hearing for Friday in the U. S. District Court on a move to block the St. Helena School Board from holding a scheduled April 22 election that could stop the court-ordered integration of public schools.

Acting on a motion for an injunction filed by Attorney A. P. Tureaud, counsel for Negro plaintiffs in the case, Chief Judge Elbert Tuttle of the U. S. Fifth Circuit Court of Appeals named Judge Wright, Circuit Judge John Minor Wisdom and Judge Herbert W. Christenberry to hear the pleadings Friday.

The St. Helena Parish School Board called the election under a new Louisiana "local option" law which gives voters the privilege of closing schools which have been ordered to integrate.

Attorney Tureaud, in attacking the constitutionality of the "option law," contends the board is holding the election merely to prevent school integration which has already been ordered by the Federal Court.

The statute, passed by the Louisiana Legislature in a special session, provides in part:

"In each parish of the State and in each municipality having a municipally-operated school system, the school board shall have authority to suspend or close the operation of the public school system in the elementary and secondary grades after an election has been first held at which a majority of the qualified voters voting in said election have authorized such suspension or closing..."

The St. Helena suit was originally filed Sept. 4, 1952 by Lawrence Hall et als versus the school board and J. L. Meadows, superintendent.

The Federal Court has since ordered St. Helena and East Baton Rouge Parishes and six state-operated trades schools to "desegregate with all deliberate speed."

Concerning the April 22 election, the registration rolls closed on March 22 in keeping with the state law which closes registrations 30 days prior to an election.

The State Board of Registration reported that 1,434 persons have qualified to vote in the election. Of this number 1,420 are whites and 14 are Negroes.

The total population of St. Helena Parish according to the 1960 census is 9,092. It is estimated that Negroes comprise 55.5 per cent of the population which means some 5,000 of the parish's 9,092 inhabitants are Negroes.

St. Helena is one of the parishes in Louisiana where there is no system of permanent registration. Voters must re-register every four years. Voting lists in St. Helena Parish, therefore, were wiped clean December 31, 1960.

In October, 1960 when the vote rolls closed prior to the Presidential election, St. Helena had 3,721 voters -- 2,478 white and 1,243 Negro.

Records show that since Jan. 1, only 14 Negroes have registered as voters in St. Helena Parish.

Late last week, it was reported that the Justice Department in Washington announced it would investigate the situation to determine whether Negroes are being denied the right to register and vote in St. Helena Parish. The announcement said Assistant Attorney Gen. Burke Marshall had ordered the investigation.

Commission To Call 11 Parishes

WASHINGTON, D. C. — Voting officials of eleven Louisiana parishes will be expected to testify before the U. S. Commission on Civil Rights when it resumes its hearings into alleged denials of the right to vote in Louisiana on March 22, Acting Director Berl I. Bernhard announced last week.

In addition the Commission will offer to other State officials the opportunity to present evidence on these matters.

Parishes expected to be represented are Bossier, Caddo, Claiborne, East Carroll, Jackson, Madison, Ouachita, Plaquemines, Red River, St. Helena, and Webster.

NEW ORLEANS

The hearings, which will be held in New Orleans in the U. S. Court of Appeals in the Post Office Building beginning at 9:00 a.m. Wednesday, March 22nd, will be a resumption of the proceedings which were recessed on September 28 after one and one-half days' testimony was heard.

During the September sessions the Commission heard sworn testimony from 35 Negroes who charged that their right to register and vote in certain areas of the state had been denied because of race.

In announcing the date of the hearing, Bernhard said, "We are merely taking up where we left off in September."

When hearings were first scheduled in July 1959, Louisiana Attorney General Gremillion, other state officials and some private citizens challenged the legality of the Commission's rules of procedure.

The U. S. Supreme Court held on June 20, 1960, that the Civil Rights Act of 1957 authorized the Commission on Civil Rights to adopt its rules of procedure, and that such rules as it adopted do not violate the Constitutional rights of a witness who has been subpenaed to testify at a Commission hearing. It based this conclusion on the premise that the function of the Commission is purely investigative and fact-finding rather than adjudicatory.

Bernhard, in discussing the Supreme Court's decision, said "the language of the Court is extremely significant.

"It says the Commission does not hold trials or determine anyone's civil or criminal liability. It does not issue orders Nor does it indict, punish, or impose any legal sanctions.

LEGAL RIGHTS

"It does not make determinations depriving anyone of his life, liberty, or property. In short, the Commission does not and cannot take any affirmative action which will affect an individual's legal rights. The only purpose of its existence is to find facts which may subsequently be used as the basis for legislative or executive action."

Bernhard added that during the hearings in September, Gremillion made a public announcement that he thought the Commission was unfair in not calling for rebuttal testimony from registrars and other state officials.

"The resumption of the hearings and the appearance of additional witnesses gives us the assurance that the complete factual picture of the voting situation in Louisiana will be presented."

The Commission will hear the State officials and others at the two-day hearing scheduled for March 22-23. Atty. Robert G. Storey, head of the Southwestern Legal Center and former dean of the Southern Methodist university Law School, will preside at the hearings. He is vice chairman of the Commission.

The Louisiana Advisory Committee, under the chairmanship of former State Senator J. D. De Blieux of Baton Rouge, has scheduled a meeting in New Orleans at the time of the hearing.

Other members of the Committee are Dr. Albert W. Dent, president of Dillard University; Bernard R. Ariatti, labor official; Rev. William T. Handy, jr., minister, St. Mark Methodist church, and Dr. Harold I. Lief, professor at Tulane University.

Too Many Indifferent To Right To Vote?

The Louisiana Weekly
New Orleans La

Last Saturday's elections in New Orleans--a Democratic primary to select two candidates for the City Council and the voting by the general electorate to decide the fate of four proposed amendments to the City Charter--were no exception to the old rule that people just do not come out except in the Presidential, gubernatorial or mayoralty contests. Sat. 4-22-61 P 11

When it is considered that the amendments--so called side issues of Saturday's election--were of greater importance than the election of two Democratic candidates who will face the Republican and other choices next month, and when it is considered that every registered voter in Orleans Parish could have expressed his position Saturday, civic-minded citizens cannot help but view with dismay the fact that less than 60 per cent of the total registration turned out to vote. 34e

Final election returns reveal that out of some 215,000 registered voters in Orleans Parish same 90,000 were missing from the polls Saturday. It cannot be denied that this is a serious indictment against the people of this city who talk incessantly about prizing and preserving those basic fundamentals of demoracy, the freedom of expression and the right to vote.

Viewing the elections objectively, the entire contest took on the complexion of a battle between the political friends and foes of Mayor deLesseps S. Morrison, with the bitterest fight centered around Amendment Number One.

Passage of this amendment would have cleared the way for Mayor Morrison to become a condidate to succeed himself in 1962 if he so desired.

The bitterness of the contest over this amendment is reflected in the fact that it was defeated by a mere 1,512 votes. However, returns prove voters considered this the most important issue of the election when it is also considered that each of the other three amendments polled less votes, yet lost by greater margins.

Amendment Two, which attracted a total of 109,074 pro and con votes, was defeated by a margin of 4,954; Amendment Three, with 108,705 ballots, lost by 26,085 votes, and Amendment Four, with 114,618 persons voting, was defeated by a margin of 40,542.

Mayor Morrison, in this election, was in the uncomfortable position of being caught in the middle. In addition to his perennial opponents, the Regular Democratic Organization, the Mayor and the Crescent City Democratic Association's candidates as well as the amendments were opposed Saturday by many other groups--Negro and white.

Although a check of the predominantly Negro voting precincts revealed strong support for Morrison and the amendments, it is no secret that many Negroes either voted for the opposition to show their displeasure or resentment at recent actions or omissions of the Morrison administration.

There were some who interpreted Mayor Morrison's influence in encouraging the King Zulu parade on Mardi Gras Day as an action of total disregard for the ideals and aspirations of the Negro citizenry. Others accused the city's chief executive of "looking the other way" when Negroes complain of police brutality and unwarranted arrests. This group pointed directly at the arrests of Consumers League pickets who paraded peacefully in the Claiborne Shopping Center and the failure of policemen to act when screaming white mobs harrassed the four tiny Negro girls who were enrolled in two previously all-white schools last November.

The Louisiana Weekly 34e
New Orleans La

Then, too, there were many who felt that the mayor should have taken a more forthright stand for democracy during the school integration crisis. In this matter, many Negroes and whites were displeased with Mayor Morrison's appearance on the "Face the Nation" program and his explanation of the issue. Sat. 4-22-61 P 13

And, finally, many Negroes made no secret of their intention to vote against the mayor and his proposals because of his action in denying use of the Municipal Auditorium to the NAACP for a mass meeting and allowing the same facility to be used almost monthly by the White Citizens Council.

On the other hand, the mayor's regular opponents were joined Saturday by the White Citizens Council and other dissatisfied white groups. Typical is a circular which was distributed in the Fourteenth Ward. It stated, in part:

"Boss Morrison has never attended a Citizen Council meeting. While he talks segregation out of one corner of his mouth--he integrates the police department and public library out of the other...Boss Morrison and his legislative boys have consistently fought the Governor and 95 per cent of the Legislature who are fighting so valiantly to preserve our state and our way of life... This is the opportunity we have been waiting for, to legally vote out a man who deserted us when we needed him most.."

When the entire election is reviewed, there can be no doubt that the outcome which is too close to be termed a "mandate of the people" is the direct responsibility of the more than 40 per cent of the electorate who did not bother to vote.

The Louisiana Weekly makes no apology for its support of the Morrison administration's candidates. For in this democratic nation of ours all individuals or organizations are entitled to express their own particular points of view and to support the candidates or measures of their choice.

We realize, too, that the Democratic primary's outcome is tantamount to actual election because of a poorly-developed two party system. And so, we face the truth that those candidates who were elected Saturday will be our City Council members.

The Louisiana Weekly, therefore, warmly congratulates Condidates James A. Comiskey and John J. Petre, and pledges its whole-hearted support in the direction of making New Orleans a better place to live for ALL citizens, regardless of race, creed or color.

Voting Hearings Resume May 5 In Louisiana

WASHINGTON (UPI) — The Civil Rights Commission announced Tuesday it will resume hearings May 5 in New Orleans into what it charges is denial of voting rights in Louisiana.

Hearings on the charges were recessed last Sept. 28 after less than two days of testimony. At that time, the commission said, it heard sworn testimony from 35 Negroes who charged their right to register and vote on certain areas of the state had been denied because of their race.

The commission said voting officials of 11 parishes, in addition to state officials, will be given an opportunity to testify.

Quachita Vote Suit Is Called

(Special to The Times-Picayune)

MONROE, La. — A 4-year-old Negro discrimination law suit is scheduled to come up again Monday in federal district court with Judge Ben C. Dawkins Jr. presiding.

Judge Dawkins signed an order directing John I. Reddix, Monroe Negro dentist, to appear in federal court Monday at 9 a. m. and end his case.

Reddix filed a suit against Mrs. Mae Lucky, Quachita parish registrar of voters, Oct. 1, 1956, alleging he was illegally challenged off the voter registration rolls.

State officials contend that Dr. Reddix has since registered and no longer has the right to continue the suit.

'RIGHTS' HEARING RESUMES MAY 5

Gremillion Request for Delay Refused

The civil rights commission announced Tuesday in Washington that it will resume hearings May 5 in New Orleans on alleged voter registration discrimination.

Hearings on the charges were recessed last Sept. 28 after less than two days of testimony by 35 Negroes who claimed that they had been denied the right to register because of their race.

State Atty. Gen. Jack P. F. Gremillion had asked for a delay in the May resumption of the hearings because of a scheduled appearance in Washington on the day in question in connection with the tidelands dispute.

Berl I. Bernhard, the rights commission's staff director, said, however, that the commission could set no other date and invited Gremillion to submit a statement.

Bernhard said that registration officials of 11 parishes as well as state officials will be given an opportunity to testify at the hearing. aPrishes expected to be represented include Bossier, Caddo, Claiborne, East Carroll, Jackson, Madison, Ouachita, Plaquemines, Red River, St. Helena, and Webster.

Ballot A Must In Fight For Equality Says Laws

The free ballot and equal job opportunities were among some seven points named as legitimate aims of the present day Negro in his demand for equality an official of the NAACP told a gathering of professional and business people at a meeting sponsored by Sigma Lambda Chapter of Alpha Phi Alpha Fraternity, Inc.

He was Clarence A. Laws, field secretary, southwest jurisdiction of the NAACP.

According to Laws of great importance to the Negro's demand to full equality as promised by the U. S. Constitution is "his registering and then voting for candidates who are favorable to his (the Negro's) cause."

He reminded that the most important thing to a politician is "the number of votes he can get from any given segment of the community of organizational group."

In addition to the free ballot and equal access to job opportunities, Laws listed some five other legitimate aims Negroes were seeking in their legal battle for full citizenship. Among them are full access to educational and vocational opportunities; the elimination of barriers in labor unions and professional organizations; victory against racism and oppression by the government; the elimination of housing restrictions because of race, and free and full access to eating establishments, hotels, theatres and all public accommodations.

According to Laws to acquire these aims the Negro's quest for the ballot must be an insatiable and unending one; he must assume the responsibilities which are his as a citizen; he must spend or buy only in those places where Negroes are respected as persons of dignity and where skin color is no barrier to employment opportunities; challenge and vigorously oppose any and all efforts to limit or restrict Negroes as American citizens.

"The Negro must demonstrate a healthy discontent for restrictions placed upon him and through directed action change them," said Laws.

Dr. Alvin J. Smith, president, presided over the session.

The Alphas and Alphabettes jointly participated in the program. Alphas present were Elliot J. Keyes, Walter E. Morial, John V. Roussell, Dr. Joseph P. Braud, Wesley J. Watkins, Jr., W. Loring Dumas, Dr. C. C. Haydel, Sr., Percy P. Creuzot, Jr., Dr. L. L. Burns, Dr. E. W. Bashful, Marcus Neustadter, Jr., Dr. Andrew J. Young, Robert H. Harrison, Dr. Lloyd Thompson, William C. Roberson, Walter D. King, Dr. Karl L. Douglas, Belmont J. Haydel, Jr., Anthony Rachal, Jr., Rene J. Rousseve, Dr. Andrew E. McDonald, Atty. Ernest N. Morial, Maurice E. Prevost, William L. Watson, J. Harvey Kerns, James E. Snowden, W. M. Haydel, Herwald M. Price, Dr. Samuel L. Gandy and Dr. William R. Adams.

Alphabettes present included Mrs. Irma M. Rousseve, Mrs. Vivian D. Roussell, Mrs. Stella B. Smith, Mrs. Marie C. Moten, Mrs. Marjorie M. Dumas, Mrs. Griselda B. Neustadter, Miss Adlise D. Ivey, Mrs. Sybil Morial, Miss Linda W. Jules, Mrs. Daisy F. Young, Mrs. Lois G. Taplin, Mrs. Nan L. Snowden, Mrs. Eva Prevost, Mrs. Retta B. Price, Mrs. Louise E. Rachal, Mrs. Marl S. Douglas, Mrs. Dixie S. Harney, Mrs. Naomie L. Haydel, Mrs. Violette Burns, Mrs. Viola King, and Mrs. Eudora Haydel. Mrs. Lillian P. Laws was a special guest.

N.O. Voter Registration Reaches 212,779 with Ninth Ward Leading

There were 212,779 persons in New Orleans registered at the close of registration on March 15 for the April 15 special election and Democratic primary, according to Orleans parish Registrar of Voters Louis Knop Jr.

The figures made public Tuesday by Knop showed that of the 212,779 persons registered 176,630 were white persons and 36,149 were Negroes.

The heaviest registration in a single ward was in the Ninth Ward where the total was 32,788. The Seventh Ward was second highest with 27,772, the Eighth Ward was third with 18,667, the 14th Ward was fourth with 16,508 and the Fourth Ward was fifth with 16,172.

The largest Negro registrations were in the Ninth Ward which had 7241 and the Seventh Ward which had 7034.

The highest proportion of Negro registration for any ward was in the Second Ward where 1486 Negroes and 1782 white persons were registered.

Registration totals by wards and by race follow:

Ward	Total	White	Negro
1	2,741	2,102	639
2	3,268	1,782	1,486
3	10,852	10,049	803
4	16,172	15,458	714
5	10,142	8,360	1,782
6	5,010	4,348	662
7	27,772	20,738	7,034
8	18,667	18,217	450
9	32,788	25,547	7,241
10	7,114	5,505	1,609
11	9,226	5,609	3,617
12	11,087	8,708	2,379
13	10,037	8,129	1,908
14	16,508	15,772	736
15	12,072	10,272	1,800
16	6,288	5,258	1,030
17	13,035	10,776	2,259
Total	212,779	176,630	36,149



INSPECTION — Dr. Carl Murphy, James H. Pollack and Gow K. Millard Tawes, reading from left, inspect 171-year-old record of Electoral College proceedings. The book is signed by the six electors who cast the state's six votes for George Washington and Robert H. Harrison in 1789.

Approaches Parity With Whites in Baltimore

Negro Vote Registration Rises

BALTIMORE — Spurred by a sustained NAACP drive under leadership of Dr. Lillie M. Jackson, branch president, registration of Negro voters in Baltimore is steadily approaching parity with that of white voters.

With more than 108,000 Negroes enrolled, these voters now constitute more than a quarter of the city's total of 407,500 registered voters.

In 1955 there were only 72,800 colored voters in Baltimore. The continuing campaign to enlarge this vote has been conducted under auspices of the Baltimore NAACP.

NEGROES ACCOUNT for 35 per cent of the city's total population and 27 per cent of the total registered vote. In part, this is because a larger proportion of Negroes is under 21 years of age than of whites.

The expansion of the Negro vote has been accompanied by a decline in the number of white voters. In 1955 there were 324,000 white voters. That figure is now down to 299,600.

92 new voters this week; registration — 109,835

Apr American 8/20
Oct 10-7-61

BALTIMORE

If you have not yet registered to become eligible to vote, you may now do so.

Baltimore Md

Who should register:

1. Citizens who have recently become 21 years of age.

2. Those persons over 21 years of age who have lived in Baltimore for one year or more — and are not yet registered to vote.

Where to register — Supervisors of Elections, ground floor of People's Court Building, Gay and Fayette Sts.

Hours you can register — Mondays through Fridays, 9 a.m. to 4 p.m.; Thursday 8 a.m. to 7 p.m.

Total registered as of May 31, 108,355

Total registered for Nov. 1960 election: 106,306.

Registration this week period: 92.

Total to date 109,835.

	D.	R.	I.
Thursday	14	3	0
Friday	7	1	0
Monday	23	2	0
Tuesday	18	8	0
Wednesday	15	1	0

Total number of prospective voters of age unregistered, 65,192.

New Voter Registration Suits Filed In State

Gov. Ross Barnett stys he knows of no official in the state who has been unfair or discriminatory in Negro voter registration.

Barnett commented yesterday after the Justice Department filed suit against two Mississippi counties—Walthall and Jefferson Davis — charging they discriminated against Negroes seeking to register to vote.

Barnett said the suits were further examples of efforts "to take away from the sovereign state the right of local self-government."

Last month the government filed similar suits against Clarke and Forrest counties. Thursday's moves by the Justice Department also included a suit against Montgomery County, Ala.

The complaints asked the federal district court to order the counties to stop engaging in any act which would delay or discourage Negro citizens from registering and voting.

In Washington, Deputy Atty. Gen. Byron R. White said, "as in the past, we have called the facts in these situations to the attention of local officials in an effort to work out solutions. We have gone to court only after these efforts failed."

MUST TAKE EXAM

Under a 1954 constitutional amendment, persons seeking registration must take a standard written examination on the meaning of citizenship and must interpret any section of the constitution. The circuit clerk is the registrar in each county and is the sole judge of who passes the tests.

The Walthall County complaint was against Circuit Clerk John Q. Wood as registrar. At Tylertown, Wood said he took office two days ago after the death of Circuit Clerk J. M. Byrd and a special election.

The government's suit said a majority of the county's 4,536 eligible white residents were registered, but none of the 2,490 Negroes.

The government claimed the applications of Negroes were denied arbitrarily on a policy of racial discrimination.

Wood said the charges were untrue. He said he knew Byrd had given tests to Negro applicants and that they "simply heven't passed." Wood said he would continue to give tests and would register any who did pass.

Circuit Clerk James W. Daniel declined to comment on the suit filed against his county, Jefferson Davis. The government's suit said about 1,200 of the county's 3,222 eligible Negroes were registered in 1955 and a majority of 3,629 whites were registered. Under a new registration ordered in 1956, the government claims, about 130 Negroes and a majority of whites were registered.

The Justice Department filed motions for permission to inspect voting records. It said U.S. District Judge Sidney Mize of Gulfport set hearings on these motions for Aug. 21.

U.S. Files Suits On Vote Rights

Mississippi And Alabama Counties Involved In Two Actions

By United Press International

JACKSON, Miss., Aug. 3. — The Federal Government filed suits here Thursday charging that Negroes have been denied their legal voting rights in Walthall and Jefferson Davis counties, and in Montgomery County, Ala.

Last month, the Justice Department filed similar suits—the first such action in Mississippi—in Forrest and Clarke counties. All four counties under Federal scrutiny are in the southern half of the state.

The suits were filed in United States District Court and charged that the local registrars failed to take action to end alleged discriminatory practices.

In Washington, Deputy Atty. Gen. Byron R. White said the Government went to court only after trying to work out solutions with local officials.

Hearing Aug. 21

The Justice Department asked for permission to inspect voting records involved and Judge Sidney Mize scheduled a hearing on the requests for Aug. 21.

The state of Mississippi and the county registrars, John Q. Wood of Walthal County and James Daniel of Jefferson Davis, were named defendants.

Two years ago the National Association for the Advancement of Colored People filed suit in Federal Court here charging that Negroes had been denied voting rights in Jefferson Davis County. The suit challenged the constitutionality of a test required for voter registration but a three-judge panel upheld it unanimously and the NAACP never appealed.

Mr. Daniel had no comment on the Government suit filed Thursday. It charged, as the NAACP had, that about 1,200 Negroes were registered in 1955 but after a new registration was ordered only about 130 Negroes were allowed to re-register.

In Walthall County the complaint said that none of the 2,490 Negro residents were registered despite repeated attempts to do so. A substantial majority of the county's 4,536 white persons were registered, it said.

In Tylertown, Mr. Wood said he had been in office only three days. He succeeded the late J. M. Byrd.

"I was deputy clerk under Mr. Byrd," Mr. Wood said. "When anyone came into the office to vote he gave them an examination and if they are not registered, therefore, they failed the examination. He was always very fair."

He said Federal agents had consulted with Mr. Byrd before he died of a heart ailment and he assured them that the tests were given to all alike.

Filed In Montgomery

Mississippi's constitution requires voters to be able to read and write an interpretation of any section of the constitution and to write a short essay on good citizenship. The registrar decides whether or not the applicant meets the test.

The Alabama complaint was filed in Montgomery. It named the state of Alabama and county registrars George Penton and Mrs. Samuella P. Willis, as defendants.

According to the complaint, approximately 29,615 of the county's 62,911 eligible white persons are registered to vote, while only 2,885 of the 33,056 eligible Negroes are registered.

Both Mississippi complaints were filed in Jackson, and asked for court orders requiring qualified Negroes who have applied in the past to be registered as voters.

MISS. IS TARGET OF VOTER SUITS

Justice Department Also Names Alabama

By W. F. MINOR

(Times-Picayune Staff Correspondent)

JACKSON, Miss. — The justice department filed suits Thursday against Walthall and Jefferson Davis county, Miss., and Montgomery county, Ala., registrars on grounds they are systematically denying Negroes the right to register and vote.

In the cases, the justice department moved under the 1960 civil rights acts, seeking an injunction to stop the registrars from using alleged racially discriminatory practices.

The suits brought to four the number of voting suits brought by the government in Mississippi within the past four weeks. Previously, suits were filed against registrars in Clarke and Forrest counties.

Hearings are set for Aug. 14 on motions to require the registrars in Clarke and Forrest counties to produce all their records relating to registration of voters.

In the Walthall county suit, the government charges that there are no Negroes registered to vote out of the approximately 2490 Negroes of voting age in the county, while a substantial majority of the 4536 white persons are registered.

120 OF 3222

The action against Jefferson Davis county charges that only 120 Negroes of the 3222 Negroes of voting age are registered, while over 50 per cent of the 3629 whites are registered.

It also points out that prior to the 1956 reregistration in Jefferson Davis county there were approximately 1200 Negroes registered, but now there are only 120, 10 per cent of that number.

Gov. Ross Barnett referred to the two suits as "an effort to take away from a sovereign state the right of local self-government." He said he did not know of "any official in Mississippi who has been unfair or who has practiced discrimination.

"As far as I know, local officials throughout Mississippi are honorable men. They are fair in giving the test our law imposes on them."

Atty. Gen. Joe T. Patterson said he had "expected" the Jefferson Davis county voter suit, "but this is the first I knew of the Walthall county suit."

He said he had been in correspondence with the justice department on Jefferson Davis county, one of the counties in which the justice department asked him to persuade voter registrars to open their records to federal officers, and to also specify by agreement which sections of the state constitution they would ask prospective voters to interpret. Patterson had refused to comply with the requests.

"GETTING ROUTINE"

"It's getting to be routine now," Patterson said in commenting on the filing of the two latest suits.

He said he looks for later suits to be filed against Bolivar county and Marshall county, based on information he has received in contact with the justice department.

John Q. Wood, Walthall county circuit clerk and registrar, was just elected last week in a special election to fill the vacancy left by the death of J. M. Byrd.

Wood said his predecessor had given Negroes the voter registration test "and they simply were not able to pass." He said he would continue the policy of letting Negroes take the test "and will register those who pass."

Circuit clerk James W. Daniel of Jefferson Davis county, had been involved in a federal voter registration suit [illegible]

Negro Vote Suit In Stalemated

Judge Tells Government's Attorney To Give Names, Dates

By United Press International

JACKSON, (Miss., Aug. 14.—Federal Judge Harold Cox refused Monday to proceed with a Negro voter suit until the Government makes its charges against Clarke County Registrar A. L. Ramsey more specific.

Government attorney B. Robert Owen of Washington refused to do so and the hearing ended in a stalemate. It was a first-round victory for the state in the first civil rights action brought against Mississippi in the voting field.

Judge Cox said the same order would apply in a similar case against the Forrest County registrar. Two new but similar suits are pending for Jefferson Davis and Walthall counties and hearings are scheduled on them Aug. 25.

Asks Specific Case

Mr. Owen indicated the Government may appeal Judge Cox' order if it is possible to do so. Otherwise it would have to amend its complaint as Judge Cox suggested or withdraw the suits.

The Government complaint charged that at least 10 Negroes had been denied application to register in Clarke County solely because of their race.

Judge Cox said the complaint failed to state a case and he could not proceed to hear the Government's motion for the right to inspect registration records until he had a suitable complaint.

"It should give names, dates and circumstances under which they were denied registration," said Judge Cox. "I can conceive of a number of persons legally being denied registration." He referred to Mississippi's literacy test.

Mr. Owen said he was prepared to prove his case but the Government felt the complaint was sufficient and to amend it as Judge Cox suggested would make it a fraud case and increase the burden of proof on the Government.

Race Bias Denied In Mississippi Voting

Jackson, Miss., Aug. 4 (AP)—Gov. Ross Barnett says he knows of no official in the state who has been unfair or discriminatory in Negro voter registration.

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Barnett said the suits were further examples of efforts "to take away from the sovereign State the right of local self-government."

Ask Court Action

Last month the Government filed similar suits against Clarke and Forrest Counties. Yesterday's moves by the Justice Department also included a suit against Montgomery County, Alabama.

The complaints asked the Federal District Court at Jackson to order the counties to stop engaging in any act which would delay or discourage Negro citizens from registering and voting.

In Washington, Deputy Attorney General Byron R. White said, "As in the past, we have called the facts in these situations to the attention of local officials in an effort to work out solutions. We have gone to court only after these efforts failed."

Took Office After Election

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The Government claimed the applications of Negroes were denied arbitrarily on a policy of racial discrimination.

Wood said the charges were untrue. He said he knew Byrd had given tests to Negro applicants and that they "simply haven't passed." Wood said he

REQUEST BRINGS BEATING, CLAIM

Vote Instructor Victim of Alleged Attack

TYLERTOWN, Miss. (AP)—A spokesman for the Student Nonviolent Movement charged the Walthall county registrar beat a Negro voting instructor after he asked the official to give voting tests to two Negroes.

Mississippi law requires prospective voters pass written tests before they can be registered to vote.

Instructor John Hardy, 21, of Memphis, Tenn., went to jail Thursday on breach of peace charges following the flareup at Circuit Clerk John Q. Wood's office. The cricuit clerk also is registrar.

The nonviolent movement spokesman charged that Wood hit Hardy on the head after he asked the registrar to give tests to the Negroes.

"Yes, I hit him," Wood told newsmen. "I have been advised by my attorney not to make any further statement."

The spokesman said Hardy took the Negro couple into the clerk's office and was advised the test could not be given pending outcome of federal court charges of discrimination against Negro applicants in Walthall county.

Wood got a pistol and ordered Hardy out, the spokesman said, and Hardy was hit from the rear as he turned to walk out. His companions helped him outside, where he was arrested.

"He was bleeding real bad," the spokesman said.

The incident was one of several reported in South Mississippi in recent days.

Registration instructor Travis Britt, 27-year-old Brooklyn man, said he and instructor Robert Moses, 26-year-old New York Negro, were threatened Tuesday by a group of whites at Liberty, in nearby Amite county, as they took three Negroes for registration tests.

Britt reported one man hit him 28 times but that they all got in a truck and drove away.

Moses charged last week he was beaten up in Liberty by a white man, Billy Jack Caston, but a justice of the peace court jury acquitted Caston.

Moses previously was convicted on charges of trying to intimidate a state highway patrolman as the officer inspected the driver's license of a Negro.

A group of Student Nonviolent Movement representatives has been in Pike, Walthall and Amite counties conducting schools to instruct Negroes on how to pass voter registration tests.

Mississippi Negro Vote Trial Delayed

The Justice Department made headway Friday in its effort to block trial of a Tennessee Negro arrested in a fist-swinging fracas at a voter registration office at Tylertown, Miss.

Moving swiftly on the eve of the scheduled trial of John W. Hardy, 21, of Nashville, a federal attorney flew here last night and filed an appeal with the 5th U.S. Circuit Court of Appeals.

Judge Richard T. Rives, the appellate court's presiding jurist, accepted the appeal at his home and scheduled arguments on it here for 9 a.m., Oct. 3.

An assistant Mississippi attorney general, who accompanied the federal lawyer here, agreed to postpone Hardy's trial on a breach of the peace charge pending action by the appellate court.

Th Justice Department appeal challenges the refusal of U.S. District Judge Harold Cox to stop the hearing, which was to have been held at Tylertown before Justice of the Peace Percy Johnson.

John Doar of the Justice Department's Civil Rights Section appealed Cox' decision Thursday and renewed his petition for a court order to block the Negro's trial.

In urging Cox to halt the proceedings, the government claimed that Hardy's arrest violated the 1957 Civil Rights act and that the country would suffer irreparable injury if the Negro were prosecuted.

But Cox labeled the federal move a "self-made emergency" and said "it is difficult . . to conceive how the United States can possibly be irreparably damaged by this criminal case down in Walthall County, Miss."

A fight erupted between Hardy and Circuit Clerk John Wood Sept. 7 when Hardy went to Wood's office to help a Negro couple register. Wood said he hit Hardy after ordering the Negro to leave his office.

The Justice Department termed Hardy's arrest "solely an attempt to intimidate and coerce the Negroes of Walthall County to prevent them from registering to vote. No Negro has attempted to register since Sept. 7."

Judge Studying State's Motion

Registrars Want Specifics In Government's Case Of Voting Rights

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., Sept. 5. — Federal Dist. Judge Harold Cox took under advisement Tuesday motions of two county registrars to force the Justice Department to pin-point discriminations it charges them with practicing against Negroes seeking to register to vote.

The state filed the motions for more definite statements in the two cases since it has been joined as a defendant with A. L. Ramsay, registrar of Clarke County, and Theron C. Lynd, Forrest County registrar.

Asst. Atty. Gen. Peter Stockett said without availability of the instances inferred by the justice department that the defendants are unable to answer the allegations.

Could Be Conspiracy

Mr. Stockett, aide to Asst. Atty. Gen. Dugas Shands, said the motions of the government to secure the voting records without charging specific violations could constitute conspiracy between officials and the state and that criminal violations could develop.

"For that reason, the Government should be forced to state the factual matter on which it bases the conclusions set out in its motions," Mr. Stockett said. "If they have the facts there is no reason why they can't reveal them."

Robert Owen, assistant attorney general, said if the government is required to give "everything that is asked it will be requiring it to give evidence."

Don't Have Records

"The principal reason we object to giving a complete bill of particulars is it will be almost impossible without the records which are in the hands of the defendants," Mr. Owen said.

"They can either admit the accusations or deny them," Mr. Owen said. "We will certainly be fair in presenting the material.

At that point, Judg Cox inttrprosed:

"They have to know what they are accused of so they will know what they are denying."

Tally Riddell of Quitman, attorney for Mr. Ramsey, said Mr. Owen's statement relative to needing the records "shows crystal clear what he is trying to do."

"He said if he could see the records then he might have a cause of action," Mr. Riddell said. "He wants to go fishing for information."

Mississippi Hit With Suits Over Negro Voting Rights

JACKSON, Miss. (AP) — The federal government hit Mississippi Tursday with two suits charging discrimination against eligible Negro voters in two counties.

Mississippi Gov. Ross Barnett promptly labeled the action as interference with local self-government.

Atty. Gen. Robert F. Kennedy said in Washington that Justice Department investigations showed "a clear-cut pattern of discrimination."

The suits, he said, were filed "because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

LEGAL MANEUVER

The legal maneuver contended eligible Negroes in Clarke and Forrest counties, located in south-central Mississippi, were denied voting rights.

Other voting rights investigations, the Justice Department said, are pending "in a number of additional Mississippi counties."

U. S. Dist. Judge Sidney C. Mize set a hearing on the government's petition for preliminary injunctions for Aug. 7, probably at Jackson, the state capital.

This was the first such action brought in Mississippi and came under the 1957 and 1960 civil rights acts. Similar suits have been filed in Louisiana, Alabama, Georgia and Tennessee.

BARNETT SPEAKS

"I don't understand why they want to interfere with local self-government," Barnett said. "Local self-government is the thing that made this nation great."

Barnett declined further comment and said he would refer the suits to Mississippi Atty. Gen. Joe Patterson, who would not comment on the move.

Clarke County Circuit Clerk A. L. Ramsey, who is the county's registrar of voters, said he knew of no complaints from Negroes.

"We haven't had any Negroes ask to vote," Ramsey said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in circuit court."

Ramsey also mentioned Mississippi's poll tax which places a $2 levy yearly on all citizens over 21, and they must present a tax receipt in order to vote.

Circuit Clerk Theron Lynd of Forrest County said merely that no process had been served him and declined comment.

John Doar of the Justice Department's Civil Rights Division also filed an affidavit and a motion asking that Lynd be directed to produce any number of voting records, including receipts of poll taxes and records of applications.

NONE PERMITTED

Doar said that at least 54 Negroes have tried to register and failed, claiming none of them were permitted to file applications to vote.

The Justice Department earlier asked registrars in Bolivar, Leflore and Forrest counties to allow FBI agents to inspect their voter records.

Patterson told the registrars they need not answer any questions posed by FBI agents and advised against letting the agents see voter records.

The Justice Department later filed suits to open registration rolls in Bolivar and Forrest counties.

SIMILAR PROBES

Similar voter probes took place in Madison and Walthall counties. Madison County Clerk L. F. Campbell said at the time FBI agents were welcome to do any checking.

Martha Lamb, circuit clerk for Leflore County, said she opened her records to FBI inspection in the fall of 1960, but there has been no report on the inspection.

In the Clarke County case, the government charged that although there are 2,988 Negroes of voting age in the county, none are now on the voting rolls.

In Forrest County, the suit alleged, there are only 25 of 7,495 Negroes of voting age on the rolls.

Kennedy said that the "basic facts of our investigations" were made available to state and local officials, but there was no remedy effected.

U.S. Files Vote Suits Against Mississippi

By ALVIN SHUSTER
Special to The New York Times.

WASHINGTON, July 6—The Justice Department filed two suits in Mississippi today charging that Negroes had been denied voting rights in two counties.

Attorney General Robert F. Kennedy, announcing the filing of the suits under the civil rights laws of 1957 and 1960, said investigations had shown a "clear-cut pattern of discrimination."

In Forrest County, he said, a majority of the 22,000 eligible white citizens are registered to vote, but only twenty-five of the 7,495 Negroes are registered.

In Clarke County, he noted, not one of the 3,000 Negro residents is registered to vote, while a substantial majority of the 6,000 white persons of voting age is registered.

Accordingly, he asked the United States District Court for the Southern District of Mississippi to grant both temporary and permanent injunctions barring any discrimination in voting registration. The court set Aug. 7 as the date for a hearing on the suits.

Gov. Ross Barnett of Mississippi, in a statement in Jackson, called the suits an invasion of local self-government.

The suits, which named the registrars of the two counties and the State of Mississippi as defendants, were the first voting rights cases briught by the Federal Government in Mississippi. The Government previously filed similar suits in Louisiana, Alabama, Georgia and Tennessee.

The department said voting rights inquiries were pending in other Mississippi counties.

About 25 per cent of Negroes of voting age in the South are registered and the number over the years has been increasing slowly. However, the legal weapons provided in the laws of 1957 and 1960 and the increasing registration and voting drives being sponsored by Negro leaders are expected to produce substantial and continuing increases in Negro registration.

How Laws Work

The law of 1957 authorized the civil suits to obtain injunctions against state and local officials who practiced discrimination in voter registration. The act of 1961 authorized Federal inspection of voting records and appointment, if necessary, of voting referees by the court.

In announcing the suits, the Attorney General said the basic facts alleging discrimination had been made available to the state and local officials involved in the hope that they would remedy the situation.

"These suits were filed today because the situation has not been rectified nor are there assurances that it ever will be rectified by local action," he said.

"Negroes in these two counties still are being deprived of the right to vote—the fundamental right of all American citizens. It is our responsibility under the law to guarantee that right and we will meet that responsibility in these counties and elsewhere."

Among other things, the defendants were charged with having applied different and more stringent standards to Negro applicants, having arbitrarily denied Negroes the chance to register and having refused to register Negroes with qualifications similar to those of registered whites.

In addition to the injunctions barring such practices, Justice Department attorneys asked that the state registrar be directed to produce voting records, including receipts of poll taxes and records of applications.

Complaints Denied

JACKSON, Miss., July 6 (AP) — A. L. Ramsey, circuit clerk and register of voters of Clarke County, said today that he knew of no complaints from Negroes.

"We haven't had any Negroes ask to vote," he said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in Circuit Court."

Mr. Ramsey also mentioned Mississippi's poll tax, which places a $2 levy yearly on all citizens over 21 years of age, and they must present a tax receipt in order to vote.

Circuit Clerk Theron Lynd of Forrest County said that no process had been served him and he declined comment.

Judge Halts State Negro Vote Suit

Federal Judge Harold Cox ruled Monday that the government failed to state a case in the first two suits it filed against Mississippi registrars—in Forrest and Clarke counties—under the Civil Rights Acts. Cox said he could not hear the cases unless the government amended its complaints to state specifically who was discriminated against and when.

But government attorney B. Robert Owen of Washington refused to do so and the hearing ended in a stalemate, giving a first round victory to the state. Hearings are scheduled Aug. 25 on suits against Jefferson Davis and Walthall counties and Cox indicated he would hold the same for them.

Owen said he may appeal Cox' order if it is possible to do so under federal procedure. Otherwise the government would have to amend its complaint or withdraw the suits.

The arguments involved only the Clarke County case and registrar A. L. Ramsey. The government complaint charged that at least 10 Negroes had been denied application to register solely because of their race.

The Monday hearing was on a government motion to require the registrars to produce registration records but Sox said he could not proceed until the government "gave names, dates and circumstances under which they were denied registration."

Owens said to do so would make it a fraud case and increase the burden of proof on the government. Cox said he considered it a fraud case anyway in that it accuses the registrar of failing to uphold the law, even though it is a request for an injunction to stop alleged discrimination.

GOVERNMENT
SUIT
OXFORD, MISS.

Negro Voting Case To Be Heard Today

Government Suit Charges Tallahatchie Sheriff

OXFORD, Miss., Dec. 19. — United States District Judge Claude Clayton will hear a Government charge here Wednesday that Negroes in Tallahatchie County are not permitted to pay poll taxes to vote.

The Justice Department seeks to enjoin Sheriff E. R. Bogan from discriminating against prospective Negro voters. To do this, the Government must first prove that Sheriff Bogan has not allowed Negroes to pay their poll taxes.

Before Judge Clayton recessed last week's hearing on preliminary motions, he ordered Tallahatchie County officials to turn over poll tax and voter registration records to Government attorneys for inspection.

The Government claimed that about 4,300 or 5,099 voting age whites are registered to vote, but that none of 6,483 Negroes over 21 are.

Government attorneys are expected to attempt to prove there has been a systematic exclusion of Negroes as voters since Sheriff Bogan took office.

U. S. Wins Round Against Harassment of Negro Voting

By James E. Clayton
Staff Reporter

In Mississippi last week, the Justice Department had a quiet little battle with state officials over a new weapon it wants to develop in its efforts to get Negroes registered to vote.

On Wednesday, the Department asked Federal Judge Harold Cox to order a state court to drop the prosecution of John W. Hardy of Nashville, Tenn., on a disorderly conduct charge.

Hardy, the Department said, was slugged with a gun and arrested because he was trying to help Negroes register in Tylertown, Miss. The sole purpose of the case against him, the Government said, was to intimidate other Negroes who want to vote.

Asking a Federal Court to bar a state court prosecution is a rare move. Federal judges have the power in certain cases but they dislike doing such things and normally refrain.

Department's View

The Department's position is that state officials can keep Negroes from registering simply by arresting, on trumped-up charges, those who encourage such registration. Even if the charges fail to stick, the argument goes, the harassment is sufficient to discourage all but the bravest.

In Tylertown, where Hardy was arrested, no Negroes are registered to vote although more than 2400 Negroes of voting age live in Walthall County.

On Thursday afternoon Judge Cox held a hearing on the Government's motion at Meridian, Miss. Mississippi officials vigorously opposed the motion, arguing that the situation was not so serious that a Federal court should step into a state case.

John Doar, First Assistant Attorney General in the Civil Rights Division, argued just as vigorously that the situation required drastic action. If Hardy is prosecuted, his argument ran, Negroes in Walthall County will be intimidated and thus effectively deprived of their right to vote; this would irreparably damage the Nation.

'Self-Made Emergency'

Late in the afternoon, Judge Cox turned Doar down. He said the Government's move concerned "a self-made emergency" and added: "It is difficult . . . to conceive how the United States can possibly be irreparably damaged by this criminal case down in Walthall County, Mississippi."

Doar told Judge Cox that he was going to appeal the decision immediately. As he started out for Montgomery, Ala., Mississippi officials decided they had better go along. So all of them drove over to see Chief Judge Richard T. Rives of the Fifth Circuit Court of Appeals.

They got to Judge Rives house about 11 p. m., and he listened to both sides for a while. Then, when the Judge had made it clear that he was about to block Hardy's trial temporarily, the Mississippi officials agreed that they would postpone the trial indefinitely.

That was agreeable to everyone. Hardy's trial was put off and the Court of Appeals will hear a full review of Judge Cox's decision Oct. 3.

VOTING LEADER TO STAND TRIAL

Judge Cox Denies Federal Request for Halt

(Times-Picayune Capital Bureau)

JACKSON, Miss. — Federal district Judge Harold Cox denied a government request Thursday to halt the trial of a Negro voting leader Friday in Walthall county. Justice department attorneys had contended the case would intimidate Negroes from registering in the county.

Immediately after Cox's ruling, John Doar, assistant in the civil rights division of the justice department, said he would seek to get a stay of the Cox ruling from a member of the fifth circuit court of appeals.

John Hardy, 21-year-old Nashville, Tenn., student who tried several weeks ago to organize groups in Walthall county to seek voter registration, is slated to be tried before justice of the peace Percy Johnson at 9 a. m. Friday for breach of the peace.

Hardy was charged with the offense after Walthall county circuit clerk John Q. Wood allegedly slugged him with a pistol as he was leaving the registration office with two Negroes.

RESTORING ORDER

In its petition, the government asked for a restraining order to stop the scheduled trial of Hardy Friday on grounds it would "irreparably damage" the United States by discouraging Negroes to register to vote.

Walthall county has no registered Negro voters, and a federal suit is now pending against Wood, the voting registrar.

Judge Cox said it was difficult for him to "conceive how the United States can possibly be irreparably damaged by this criminal case down in Walthall county, Mississippi, regardless of its outcome."

In an oral statement afterwards, Cox said it would be "improper for me to permit a clash of the sovereignty of the state and federal governments on such a case."

In his written decision rejecting the restraining order, the judge said affidavits filed in the case by the government "portray a reprehensible course of conduct on the part of the registrar of Walthall county."

He said, however, that the statements of the witnesses may be contradicted by testimony on the other side.

"While it must be presumed that John Hardy is innocent of every thing with which he is charged, it must likewise be presumed that justice will be done in the trial of that case regardless of the result thereof," he said.

"There is nothing before the court to indicate anything to the contrary."

The government petition had sought to restrain Wood, along with Dist. Atty. Mike T. Carr, City Attorney Breed O. Mounger and Sheriff Edd Craft from proceeding with Hardy's trial.

The government case did not, however, seek to enjoin the justice of the peace who is slated to hear the misdemeanor case.

Asst. Atty. Gen. Ed Cates contended in arguments before Cox that the powers of equity "do not reach to criminal proceedings unless irreparable, immediate damage is done."

He said that the United States "says it doesn't care about this man, it's not his irreparable injury they are concerned about."

ATTITUDE CITED

Mounger charged that the government's attitude was to "indulge in presumption" that Hardy would be found guilty.

Doar said he the government "is not the attorney for John Hardy." He added that since Hardy was "struck on the back of the head with a gun on Sept. 7, we know nobody has attempted to register since."

He said that the right to register to vote "without coercion is a far, far greater thing than any property rights contended by the defense."

In an affidavit filed with the government's case, Hardy and two Negroes who accompanied him, related that Wood told them when they appeared that he "wasn't registering voters" that day. He then ordered Hardy out of the office.

They stated that Hardy acknowledged and began walking out of the office.

Teh affidavits said that Wood took a pistol from his desk and hit Hardy from behind. "It sounded like a loud 'pw' when it hit him," declared the statement of Mrs. Edith Simmons Peters, one of the Negroes with Hardy.

Decision Is Delayed In Negro Voter Suit

By W. C. SHOEMAKER
Daily News Staff Writer

U. S. District Judge Harold Cox Friday delayed a decision on a state plea for detailed information in the Justice Department's suit against registrars of Jeff Davis and Walthall counties.

Asst. State Atty. Gen. Dugas Shands argued before Cox here today that the Justice Department's suit to open voting records of the two counties to federal officers is vague and premature.

He said the government's petition did not specify "what the defendant is charged with. We see no reason why the plaintiff is unable to tell us what we've done," Shands said.

Justice Department Atty. J. [illegible]t Owens claimed the suit [illegible]erfectly proper" under the [illegible]l Rights Act of 1960.

Shands said the government's suit indicates fraud but is not clear.

Owens claimed the possibility of fraud is technical and that the government considered proof of fraud in the case "an additional burden."

DECISION MONDAY

Judge Cox agreed with Shands, but delayed a decision until Monday.

"A gross wilful, deliberate discrimination is involved," Cox said. "When you don't let a colored person vote with the same qualifications of a white man who votes, I can't, to save my life, consider that as anything but fraud," he continued.

Miss. Wins First Round In U.S. Vote Rights Case

JACKSON, Miss. — The first round was won by Mississippi in a voting rights suit being heard in Federal District Court before District Judge Harold Cox who held that the Government's charges should be made more specific.

The Government's complaint charged that at least 40 Negroes had been denied applications to register in Clarke County, solely because of their race. Cox said the complaint failed to outline a single case.

He asked for names, dates and circumstances. U. S. Atty. Robert Owen held that the complaint in itself was enough. Judge Cox's ruling applied also to cases involving registrars in Jefferson Davis and Walthall counties.

Further hearings are scheduled for Aug. 25.

U.S. Judge Halts 2 Voter Suits

Government Again Is Told Arguments Are Not Specific

By United Press International

JACKSON, Miss., Aug. 25. — United States Judge Harold Cox stopped hearings in two more voter registration suits Friday on ground the Government was not specific enough in its charge of discrimination against Negroes.

The hearings were on a Government motion to require registrars of Jefferson Davis and Walthall Counties to produce registration records.

Last week, Judge Cox halted a similar hearing in regard to records in Forrest and Clarke counties, saying the Government would have to amend its complaint and be more specific before he could hear testimony on the Government's motion.

Ruling Is Reserved

On Friday's hearing, Judge Cox said he would reserve ruling until he could study the matter further but he could not let the Government proceed in the meantime. Attorney J. Robert Owen of Washington had subpenaed several witnesses to testify but these were dismissed.

Judge Cox said he still believed the Government would have to prove a case of fraud and to do so it would have to give names, dates and places in its complaint. The complaint alleged a pattern of discrimination against Negroes under the 1960 Civil Rights Act.

Mr. Owen said Congress in framing the Civil Rights Act did not intend for the Government to have to prove fraud—which would require more proof.

"I don't approach a civil rights case any differently from that of any other kind," Judge Cox said.

Pattern Is alleged

The Government is asking the court to find a "pattern" of voter discrimination in the counties involved. If such is found it can ask that referees be appointed in the counties to guard against discrimination.

Judge Cox recessed court until Monday. On Sept. 4 he will hear further preliminary arguments in the cases. Trials of the case are to be scheduled later in the fall in Meridian and Hattiesburg.

Hearing Set Here On Negro Voter Case

U.S. District Judge W. Harold Cox today holds a hearing on a federal government request to inspect vote registration books in Walthall and Jefferson Davis counties.

It was the second such action before the newly-seated federal judge this month. He still has the earlier case under advisement.

The Justice Department is trying to determine if Negroes were refused the right to vote because of their race.

The earlier case involved Clarke and Forrest counties.

Voter registrars James Daniel, Jefferson Davis County, and J. Q. Wood, Walthall County, along with the state of Mississippi, are defendants in the current case.

Federal court action comes under a rule 34 motion, a federal rule of civil procedure, to have registrars permit inspection of their records.

The Justice Department seeks to know whether Negroes have been refused the right to vote in the two counties only because of their race.

In an earlier federal government voter suit, Judge Cox deferred action after Justice Department attorneys refused to include fraud charges in their motion.

The newly seated federal judge concluded that "any voter registrar who turned down Negroes seeking registration because of race was fraudulent."

The federal government sought to inspect voter registration records in Clarke and Forrest counties, but the state charged the government did not show facts or present witnesses, merely gave its beliefs. Judge Cox agreed.

He said he could not hear the Clarke-Forrest case until such a charge was included in the motion.

Robert Owen, attorney for the Civil Rights Division of the Justice Department, told Cox that the Jefferson Davis and Walthall suits were basically the same and he would probably refuse to bring in the charge of fraud.

"We do not consider this a fraud case, but civil action," Owen said. He added that he felt the fraud charge "would be an additional burden of proof."

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MISSISSIPPI

Mississippi voting cases exceptions that prove rule

BY JAMES FREE, News Washington correspondent

WASHINGTON, July 8—The voting rights suits filed by the Justice Department against Clarke and Forrest Counties in Mississippi the other day might be called, not too inaccurately, the exceptions that prove the rule.

For the fact is that throughout the Deep South there are many, many more counties that are willing to review and possibly to revise some of their voting registration practices to avoid such a federal court action that will stand pat—as these two counties did—and invite federal intervention. This is true not only in Mississippi, but in Alabama and other states in Dixie.



FREE

Our point here is not to suggest that Clarke and Forrest Counties necessarily are wrong and that the larger number of counties which make some concessions are right. What we are trying to show that the local reaction in this instance is not typical either in Mississippi or Alabama.

IT WILL BE RECALLED that Atty. Gen. Robert F. Kennedy said that local officials in these two Mississippi counties had declined to move to correct alleged discrimination against qualified Negroes seeking to register and vote.

Kennedy said, too, that the suits were filed only after the local officials were given an opportunity to do something about the alleged discrimination (as outlined to the Justice Department in sworn complaints from local Negroes), but would not give any assurances of future action.

In these two counties—as in Macon County, Ala., earlier—there was little or no disposition to try to work out an arrangement with Justice Department representatives that would keep the matter out of court.

It can be stated on excellent authority that in dozens and dozens of Southern counties a possible federal suit has been avoided by local adjustments, some of them relatively minor, in voting registration procedures. Some of the adjustments have been major ones. But most of the changes have involved elimination of tests or requirements that were more stringent for Negro applicants than for white applicants. Nowhere has it been proposed that standards be made less rigid for Negroes than for whites.

Registration picks up

IT IS KNOWN IN the Justice Department, also, that a considerable number of counties in the South have, on their own initiative, modified certain registration procedures that have come under attack elsewhere in voting rights suits.

All in all, Justice Department officials are optimistic about progress being made, and expected in the months ahead, in getting qualified Negroes to register and vote. While the bulk of sworn complaints has come from the South, it is by no means a purely regional problem.

Negro apathy toward voting, among those already registered, has been noted by politicians in the North and Midwest for years. It is far more widespread than it is among white voters, perhaps due to minority group status in most localities—a status that creates in many Negroes an attitude of what-difference-does-it-make.

MAIN TARGETS of the Justice Department under Atty. Gen. Kennedy, as under his immediate Republican predecessor, will be the counties from which complaints come alleging that no Negroes whatever are registered—or that only a handful out of hundreds of eligible Negroes can vote. That was the charge from Clarke and Forrest Counties, as from Macon, Bullock and other Alabama counties.

Under the law all sworn complaints must be investigated. This will in time bring federal checkups on cases in couuties that already have hundreds of Negroes registered—like Jefferson County, Ala., for instance.

Atty. Gen. Kennedy has promised that in every instance local officials will be given a chance to rectify alleged discrimination, or to correct false impressions about it, before court action is taken. That is the main reason why there has not been, nor will be in the future, any wholesale filing of voting rights suits.

The big majority of counties prefer to work out a satisfactory solution wit[redacted] action and without [redacted]

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This was the first such action brought in Mississippi and came under the 1957 and 1960 civil rights acts. Similar suits have been filed in Louisiana, Alabama, Georgia and Tennessee.

BARNETT SPEAKS

"I don't understand why they want to interfere with local self-government," Barnett said. "Local self-government is the thing that made this nation great."

Barnett declined further comment and said he would refer the suits to Mississippi Atty. Gen. Joe Patterson, who would not comment on the move.

Clarke County Circuit Clerk A. L. Ramsey, who is the county's registrar of voters, said he knew of no complaints from Negroes.

"We haven't had any Negroes ask to vote," Ramsey said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in circuit court."

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Kennedy said that the "basic facts of our investigations" were made available to state and local officials, but there was no remedy effected.

Mississippi Official Blasts Statement

JACKSON, Miss. (AP) — Atty. Gen. Joe Patterson said Saturday a statement about voter registration by U.S. Atty. Gen. Robert Kennedy was misleading and designed to put Mississippi officials in a bad light.

The justice department filed voting suits against the registrars of Forrest and Quitman Counties, saying registrars used discriminatory practices in keeping Negroes from the polls.

Patterson quoted Kennedy as saying:

CLEAR-CUT PATTERN

"Justice department investigations showed a clear-cut pattern of discrimination. Basic fact of our investigations were made available to state and local officials, but there was no remedy affected."

Patterson said in a statement:

"These suits have been filed by the United State Attorney General to gratify the demands of the National Association for the Advancement of Colored People, and would have been filed regardless of any reasonable offer of cooperation on the part of this office and county officials."

The State Attorney General said the civil rights division wrote his office charging discrimination against Negroes attempting to register in Forrest and Jefferson Davis Counties.

FURNISH NAMES

Patterson said he asked Kennedy to furnish the names of the people affected by discriminatory voting practices.

"I regret that I cannot," Patterson said Kennedy told him, "furnish the names and addresses of specific persons affected by the discriminatory practices and standards which we are informed have been followed and applied in registration in the two counties."

Kennedy added, he said, that the justice department could not expect co-operation and help from potential witnesses if they were exposed to pressure from the community in advance of litigation.

PRESCRIBE RULES

Patterson said, "Mr. Kennedy's office wanted to prescribe the rules under which registration of Negroes would be conducted without any regard whatsoever to the laws of the state of Mississippi.

"He even demanded that his office approve in advance the provisions of the constitution which the circuit clerks would use in administering the constitutional interpretation test and demanded that his office approve the interpretations."

U. S. Files Two Voting Suits Against Mississippi Officials

6 Negro Students Arrested For Trying To Buy Tickets In A White Waiting Room

JACKSON, Miss. (UPI)—The Justice Department Thursday filed two civil rights voting suits in Mississippi, first such federal action in the history of the state, and officials said more may be forthcoming.

At about the same time six more Negro college students were arrested when they tried to buy tickets in a white waiting room of the Illinois Central Railroad terminal in the Deep South city, which has been a prime target of the "freedom riders."

Earlier in the day a U. S. District Judge at Biloxi, Miss., rejected new attempts to have arrest of "freedom riders" ruled unconstitutional.

The two civil rights voting suits were filed in U. S. Dstrict Court in Jackson and charge that Negroes in Clarke and Forrest Counties have been unlawfully deprived of their voting rights.

SEEK INJUNCTIONS

The suits seek injunctions against further "racially discriminatory acts and practices" by the state and the two counties.

District Judge Sidney Mize set Aug. 7 for hearings on the suits here. Processes were served at noon on Gov. Ross Barnett, State Atty. Gen. Joe T. Patterson and circuit clerks of Clarke and Forrest counties.

The Justice Department said that in Clarke County, a chiefly rural east Mississippi county, none of the 2,988 Negro adults have been permitted to register while more than half the 6,072 white adults were registered.

It charged that a majority of the 22,431 white persons of voting age in Forrest County were registered but only about 25 of the 7,495 adult Negroes.

RULES AGAINST PLEA

The attempt at Biloxi to have arrests of integrationists for making "freedom rides" ruled unconstitutional was made by Negro Attorney Jack Young.

Judge Sidney Mize ruled last week that it would be improper for him to enter the case until the courts had an opportunity to rule on the constitutionality of the arrests. He repeated his opin-

Thursday in turning down Young's request that he be permitted to file an appeal in the case.

Negroes Denied Vote by 2 Counties In Mississippi, U.S. Suits Charge

By ALVIN SHUSTER

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WASHINGTON—The Justice department filed two suits in Mississippi Tuesday charging that Negroes have been denied their voting rights in two counties—Clarke and Forrest.

Atty. Gen. Robert F. Kennedy, announcing the filing of the suits under the 1957 and 1960 Civil Rights Laws, said investigations turned up a "clear-cut pattern of discrimination."

In Forrest County, he noted, not one of the 3,000 Negro residents are registered to vote, compared to a substantial majority of the 6,000 white persons of voting age there.

Accordingly, he asked the U.S District Court for the Southern District of Mississippi to grant both temporary and permanent injunctions barring any further discrimination in voting registration. The court set Aug. 7 as the date for a hearing on the suits.

Gov. Ross Barnett of Mississippi called the suits an invasion of local self-government. Clarke County circuit clerk A. L. Ramsey said no Negroes vote in his county because "they all have good sense and know we're doing a good job here."

The suits, which named the registrars or county clerk of the two counties and the State of Mississippi as defendants, were the first voting rights cases brought by the federal government in Mississippi. Previously, the government had brought similar suits in Louisiana, Alabama, Georgia, and Tennessee. The department said other voting rights inquiries are pending in other Mississippi counties.

Mississippi Target Of Two Vote Suits

JACKSON, Miss. (AP) — The federal government hit Mississippi Thursday with two suits charging discrimination against eligible Negro voters in two counties.

Mississippi Gov. Ross Barnett promptly labeled the action as interference with local self-government.

Atty. Gen. Robert F. Kennedy said in Washington that Justice Department investigations showed "a clear-cut pattern of discrimination."

Not Rectified.

The suits, he said, were filed "because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

The legal maneuver contended eligible Negroes in Clarke and Forrest counties, located in south central Mississippi, were denied voting rights.

Other voting rights investigations, the Justice Department said, are pending "in a number of additional Mississippi counties."

U. S. Dist. Judge Sidney C. Mize set a hearing on the government's petition for preliminary injunctions for Aug. 7, probably at Jackson, the state capital.

First Action.

This was the first such action brought in Mississippi and came under the 1957 and 1960 civil rights acts. Similar suits have been filed in Louisiana, Alabama, Georgia and Tennessee.

"I don't understand why they want to interfere with local self-government," Barnett said. "Local self-government is the thing that made this nation great."

Barnett declined further comment and said he would refer the suits to Mississippi Atty. Gen. Joe Patterson, who would not comment on the move.

Clarke County Circuit Clerk A. L. Ramsey, who is the county's registrar of voters, said he knew of no complaints from Negroes.

Mississippi County Marked For Negro Coercion Charge

WASHINGTON (AP)—The Justice Department Wednesday asked for federal court orders forbidding intimidation or coercion of Negroes seeking to register to vote in Walthall County, Miss.

Atty. Gen. Robert F. Kennedy said the complaint, filed in a U.S. District Court in Meridian, Miss., also asked a federal court order halting state court prosecution of John Hardy, 21, a Nashville, Tenn., Negro on charges of disturbing the peace. The complaint contended Hardy was arrested because he tried to help Walthall County Negroes register.

Named as defendants in the suit were John Q. Wood, Walthall County registrar, Serhiff Edd Craft, City Attorney Breed O. Mounger of Tylertown, the county seat, and State District Attorney Michael L. Carr.

The complaint contended the purpose of arresting and prosecuting Hardy was to intimidate Negroes in the county and discourage them from trying to register. It charged this was in violation of the Civil Rights Act of 1957.

The complaint said Hardy was arrested Sept. 7 after Wood ordered him out of his office at gun point and struck him on the back of the head with the gun as he was leaving.

Hardy had gone to Wood's office with two negroes seeking to register.

BEATING THREATENED

The complaint said Craft afterward arrested Hardy and threatened to beat him "within an inch of his life."

It said that Mounger and Carr questioned Hardy at length while he was in jail about his registration activities.

Kennedy, in announcing the filing of the court action commented:

"The constitution guarantees all citizens the right to register and vote without fear of coercion, intimidation or physical harm. It is our responsibility to maintain that right and we have taken this court action in accord with our responsibility.

"We also have asked the court specifically to halt prosecution of Mr. Hardy because we believe that the sole aim of his arrest and prosecution is the coercion and intimidation of Negroes seeking to register."

Hardy's trail is scheduled for Friday.

In asking for an injunction against any imtimidation of Negroes seeking to register, the complaint said that unless one is granted the defendants will seek to intimidate Negroes seeking toi register "by continuing the prosecution of John Hardy and by other means."

Since Hardy's arrest, the complaint said, no Negroes have attempted to apply for registration in Walthall County.

SET UP SCHOOL

Hardy, a member of the Student Non-Volent Coordinating Committee, had gone to Walthall County to set up a school to encourage Negroes to register and to instruct them in registration procedures. As many as 50 Negroes attended classes at the school, beginning Aug. 18.

On the day of his arrest, Hardy went to the registrar's after attending the classes.

The Justice Department also amended Wednesday its complaint in an earlier Walthall County case. It was brought Aug. 3 against Wood and the State of Mississippi. This suit asserts that Negroes in the county had been unlawfully discriminated against in their attempt to register and vote.

In this case the complaint said that while a substantial majority of the county's 4,536 white residents were registered, none of the 2,490 eligible Negroes had registered. The amended complaint added specific examples of allegedly unlawful discrimination that have occurred since the original complaint was filed.

It said on Aug. 30 four Negroes attempted to register. Ruby Mcgee and Sidney Elizey completed the application forms but were rejected by Wood, the complaint said. Elizey is a former school teacher and Miss Magee is a college student.

The complaint also said two other Negroes, Easley Walker and John Turner, were not permitted to fill out applications.

Group Charges Mississippi Registrar With Beating Negro Vote Instructor

The Montgomery Advertiser

P. 5A

TYLERTOWN, Miss. (AP)—A spokesman for the Student Nonvolent Movement charged the Walthall County registrar beat a Negro voting instructor after he asked the official to give voting tests to two Negroes.

Mississippi law requires prospective voters pass written tests before they can be registered to vote.

Jackson Clarion-Ledger 9-8-61

Instructor John Hardy, 21, of Memphis, Tenn., went to jail Thursday on breach of peace charges following the flareup at Circuit Clerk John Q. Wood's office. The circuit clerk also is registrar.

The nonviolent movement spokesman charged that Wood hit Hardy on the head after he asked the registrar to give tests to the Negroes.

"Yes, I hit him," Wood told newsmen. "I have been advised by my attorney not to make any further statement."

Memphis Commercial Appeal 9-8-61

The spokesman said Hardy took a Negro couple into the clerk's office and was advised the test could not be given pending outcome of federal court charges of discrimination against Negro applicants in Walthall County.

Wood got a pistol and ordered Hardy out, the spokesman said, and Hardy was hit from the rear as he turned to walk out. His companions helped him outside, where he was arrested.

"He was bleeding real bad," the spokesman said.

The incident was one of several reported in south Mississippi in recent days.

Registration Instructor Travis Britt, 27-year-old Brooklyn man, said he and Instructor Robert Moses, 26-year-old New York Negro, were threatened Tuesday by a group of whites at Liberty, in nearby Amite County, as they took three Negroes for registration tests.

HIT 28 TIMES

Britt reported one man hit him 28 times but that they all got in a truck and drove away.

Moses charged last week he was beaten up in Liberty by a white man, Billy Jack Caston, but a justice of the peace court jury acquitted Caston.

Moses previously was convicted on charges of trying to intimidate a state highway patrolman as the officer inspected the driver license of a Negro.

A group of Student Nonviolent Movement representatives has been in Pike, Walthal and Amite counties conducting schools to instruct Negroes on how to pass voter registration tests.

Voter, Teacher Slugged, Jailed

The Commercial Appeal P. 19

Negro Injured In Attempt To Register Pair In Tylertown

Jackson Clarion-Ledger 9-8-61

By The Associated Press

TYLERTOWN, Miss., Sept. 7.—A Negro voter registration instructor, seeking to register a Negro couple as voters, went to jail Thursday on breach of peace charges after a flareup at Circuit Clerk John Q. Wood's office.

Memphis, Tenn.

The Student Nonviolent Movement leaders charged that John Hardy, 21-year-old Memphis Negro, was hit on the head after he asked Wood to give the voter registration tests to two Negroes.

"Yes, I hit him," Wood told newsmen. "I have been advised by my attorney not to make any further statement."

Clerk Gets Pistol

Nonviolent leaders said Hardy took the Negro couple into the clerk's office and was advised the test could not be administered pending the outcome of Federal court charges of discrimination against Negro applicants in Walthall County.

Wood got a pistol and ordered Hardy out, the Nonviolent Movement spokesman said, and Hardy was hit from the rear as he turned to walk out. His companions helped him outside, where he was arrested.

"He was bleeding real bad," the spokesman said.

The incident was one of several reported in South Mississippi in recent days.

Voter registration instructor Travis Britt, 27-year-old Brooklyn man, said he and instructor Robert T. Moses, 26-year-old New York Negro, were threatened Tuesday by a group of whites at Liberty, in nearby Amite County, as they took three Negroes to the clerk's office to take registration tests.

Test Required

Mississippi law requires prospective voters to pass written tests before they can be registered.

Britt reported one man hit him 28 times.

Moses charged last week he was beaten up in Liberty by a white man, Billy Jack Caston but a justice of the peace court jury acquitted Caston.

Moses previously was convicted on charges of trying to intimidate a state highway patrolman as the officer inspected the driver's license of a Negro.

U.S. Files 2 Voter Discrimination Suits in Mississipp

JACKSON, Miss., July 6 (AP). The federal government confronted Mississippi today with two suits charging discrimination against eligible Negro voters in two counties.

Mississippi Gov. Ross Barnett promptly labeled the action as interference with local self-government.

Atty. Gen. Robert Kennedy said in Washington that Justice Department investigations showed a clear-cut pattern of discrimination.

The suits, he said, were filed today "because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

The legal maneuver contended eligible Negroes in Clarke and Forrest counties, located in south-central Mississippi, were denied voting rights.

Other voting rights investigations, the Justice Department said, are pending in a number of additional Mississippi counties.

District Court Judge Sidney C. Mize set a hearing on the government's petition for preliminary injunctions for Aug 7, probably at Jackson, the state capital.

This was the first such action brought in Mississippi and came under the 1957 and 1960 Civil Rights acts. Similar suits have been filed in Louisiana, Alabama, Georgia and Tennessee.

"I don't understand why they want to interfere with local self-government," Barnett said. "Local self-government is the thing that made this nation great."

Barnett declined further comment and said he would refer the suits to Mississippi Atty. Gen. Joe Patterson, who would not comment on the move.

Clarke County Circuit Court Clerk A. L. Ramsey, who is the county's registrar of voters, said he knew of no complaints from Negroes.

"We haven't had any Negroes ask to vote," Ramsey said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in Circuit Court."

Amsey also mentioned Mississippi's poll tax which places a tax receipt in order to vote

Circuit Court Clerk Theron Lynd of Forrest County said merely that one process had been served him and declined comment.

John Doar of the Justice Department's civil rights division also filed an affidavit and a motion asking that Lynd be directed to produce any number of voting records, including receipts of poll taxes and records of applications.

Doar said that at least 54 Negroes have tried to register and failed, claiming none of them was permitted to file applications to vote.

The Justice Department earlier asked registrars in Bolivar, Leflore and Forrest counties to allow Federal Bureau of Investigation agents to inspect their voter records.

Patterson told the registrars they need not answer any questions posed by FBI agents and advised against letting the agents see voter records.

The Justice Department later filed suits to open registration rolls in Bolivar and Forrest.

Similar voter probes took place in Madison and Walthall counties and Madison County Court Clerk L. F. Campbell said at the time FBI agents were welcome to do any checking.

Mrs. Martha Lamb, Circuit Court Clerk for Leflore County, said she opened her records to FBI inspection in the fall of 1960, but there has been no report on the inspection.

In the Clarke County case, the government charged that although there are 2,988 Negroes of voting age in the county, none is on the voting rolls.

In Forrest, the suit alleged, there are only 25 of 7,495 Negroes of voting age on the rolls.

Kennedy said that the "basic facts of our investigations" were made available to state and local officials, but there was no remedy effected.

U. S. Acts in Court To End Race Bars to Mississippi Voting

By James E. Clayton
Staff Reporter

The Justice Department's drive against discrimination at the polls moved into Mississippi for the first time yesterday. In two suits filed in Federal court there, the Department asked for court orders to stop discrimination against potential Negro voters in Clarke and Forrest Counties.

Attorney General Robert F. Kennedy said an investigation had shown a "clear-cut pattern of discrimination" against Negroes in those counties. Other Justice Department sources said voting records in additional Mississippi counties are under study.

Previously, the Kennedy Administration filed voting suits in Louisiana and Alabama. The Eisenhower Administration opened voting cases in eGorgia and Tennessee.

Consideration had once been given to attacking voting discrimination everywhere in Mississippi at the same time. The thought then was that the Justice Department could prove that State and local officials had conspired to keep Negroes from registering almost everywhere int he State.

Old Method Followed

The filing of the two individual suits indicates that the new Administration has chosen to proceed in Mississippi as it has in other states—on a county-by-county basis in which a court order immediately results in the registering of a group of Negro voters.

From Jackson, Miss., the Associated Press reported that Gov. Ross Barnett said of the two suits, "I dont' understand why they want to interfere with local self-government. Local self-government is the thing that made this Nation great."

When the suits were filed, Attorney General Kennedy said, "We have made the basic facts of our investigation available to the State and local officials concerned and have attempted to prevail upon them to remedy the situation themselves.

"These suits were filed . . . because the situation has not been rectified, nor are there assurances that it ever will be rectified by local action."

No Negroes Registered

The Department said that in Clarke County, which is in east central Mississippi, more than 50 per cent of the 6072 white citizens of voting age are registered, but one of the 2988 Negroes of voting age.

In an affidavit filed in Mississippi, Justice Department Attorney John Doar said that since 1950 at least 10 Negroes have tried to register but none has even been permitted to fill out an application form.

In Forrest County, Doar said, "During the past 12 years at least 54 Negro citizens have made one or more attempts to register . . . None of these Negro citizens has been registered."

The Department said that about 11,000 of the 22,431 whites and 25 of the 7495 Negroes of voting age are registered in that County, which is in south central Mississippi.

Says Standards Differ

In both counties, the Department charged, voting registrars and State officials have failed to give Negroes an equal opportunity with whites to register and have delayed the receipt of application forms by Negroes.

In Forrest County, the Department said, the registrar has applied different standards for Negroes and whites.

In each case, the Department asked Judge Sidney C. Mize to rule that a pattern of discrimination exists and to enjoin the registrars and the State from depriving Negroes of the right to vote. Judge Mize will consider the cases

Suits On Voting In Mississippi Filed By U.S.

Two Civil Rights Actions Name Registrars In Clarke, Forrest

By KENNETH TOLER
From The Commercial Appeal Jackson, Miss., Bureau

JACKSON, Miss., July 6. — Two civil rights suits charging registrars in Clarke and Forrest counties with arbitrarily discriminating against Negroes seeking to register to vote were filed here Thursday by the United States Department of Justice.

John Doar of the Washington staff flew to Jackson to file the suits, the first formal suits to charge Mississippi officials with voter discrimination. More are expected.

Along with the suits naming Circuit Clerk A. L. Ramsey of Quitman in Clarke County, and Circuit Clerk Theron Lynd of Hattiesburg in Forrest County, was an order to have all voting records produced before Federal Judge S. C. Mize Aug. 7.

'Can't Understand'

Gov. Ross Barnett said he couldn't understand why they want to interfere with local self government."

Atty Gen. Joe Patterson said he was not surprised, having been advised earlier by the Justice Department that the action was planned.

"All I can say is we're going to try the lawsuits and employ the full facilities of this office in defending them," the state attorney general said.

First announcement of the suits was made in Washington by Atty. Gen. Robert Kennedy Later, Mr. Doar appeared in Federal District Court here with Robert Hauberg, United States attorney for the Southern Mississippi District, and filed the actions.

Mr. Lynd had no comment, but Mr. Ramsey denied that there were no Negroes registered in his county. He said three were called for jury service at the last term of court and one appeared in the jury panel.

The Clarke County suit charges, however, that although there are 2,988 Negroes of voting age in the county, "no Negroes have been registered . . ." It said at least 10 Negroes have asked for registration since 1950 but none was permitted to register.

Only 25 On Books

In the Forrest County case, the charge is that although there are 7,496 Negroes of voting age, "only about 25 of them are registered," while a substantial majority of the 22,431 whites are qualified.

The far-reaching effect of the Forrest County suit is that it would force the registrar to "place upon the current voter registration rolls all Negroes who have applied for registration and who possessed at the time of their application the same or similar qualifications of the least qualified white person who has been registered."

In both cases, registrars would be barred from refusing to register qualified Negroes.

Both county officials are accused with engaging in "racially discriminatory acts, applying more stringent standards to Negroes than whites and rejecting or taking no action upon the applications of qualified Negroes."

Preliminary and permanent injunctions are sought in both cases.

No Voting Bias, Says Mississippi

JACKSON, Miss. — (AP) — Mississippi Gov. Ross Barnett Thursday termed Justice Department suits involving discrimination against Negro voters in the state as interference "with local self-government."



BARNETT

Atty. Gen. Robert Kennedy filed two suits charging "a clear-cut pattern of discrimination" against eligible Negro voters in Mississippi's Clarke and Forrest Counties.

They were the first voting rights action brought in Mississippi.

Barnett declined specific comment because he said he had not seen the complaints, but told the Associated Press:

"I don't understand why they want to interfere with local self-government. Local self-government is the thing that made this nation great."

In Quitman, Miss., Clarke County Circuit Court Clerk A. L. Ramsey, who is the county registrar of voters, said he knew of no complains among eligible Negro voters.

"We haven't had any Negroes ask to vote," he said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in Circuit Court."

Ramsey pointed out that Mississippi places a $2 yearly poll tax on all citizens over 21 and eligible voters must present a tax receipt before they can vote.

Similar legal actions have been brought in Louisiana, Alabama, Georgia and Tennessee.

Justice Department officials said other voting rights investigations are pending "in a number of additional Mississippi counties."

Concerning the suits involving Clarke and Forrest Counties, the attorney general said:

"Our investigations have disclosed a clear-cut pattern of discrimination. We made the basic facts of our investigations available to the state and local officials concerned and have attempted to prevail upon them to remedy the situation themselves.

"These suits were filed Thursday because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

The suit involving Clarke County was filed at Meridian, and the Forest County action at Hattiesburg, both in the Southern Federal District Court's area of jurisdiction. District Judge Sidney C. Mize set a hearing on the government's petition for preliminary injunctions for Aug. 7, probably at Jackson.

The legal maneuver contended eligible Negroes in Clarke and Forrest counties, located in south-central Mississippi, were denied voting rights.

Other voting rights investigations, the Justice department said, are pending "in a number of additional Mississippi counties."

HEARING AUG. 7

U. S. Dist. Judge Sidney C. Mize set a hearing on the government's petition for preliminary injunctions for Aug. 7, probably at Jackson, the state capital.

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"I don't understand why they want to interfere with local self-government," Barnett said. "Local self-government is the thing that made this nation great."

NO COMPLAINTS

Barnett declined further comment and said he would refer the suits to Mississippi Atty. Gen. Joe Patterson, who would not comment on the move.

Clarke County Circuit Clerk A. L. Ramsey, who is the county's registrar of voters, said he knew of no complaints from Negroes.

SAYS NONE ASKED

"We haven't had any Negroes ask to vote," Ramsey said. "We have six registered this year. But there has been no election since they registered. One of them sat on a trial jury in circuit court."

Ramsey also mentioned Mississippi's poll tax which places a $2 levy yearly on all citizens over 21, and they must present a tax receipt in order to vote.

Circuit Clerk Theron Lynd of Forrest County said merely that no process had been served him and declined comment.

U.S. Sues Mississippi For Voters

JACKSON, Miss. (AP) — The federal government hit Mississippi Thursday with two suits charging discrimination against eligible Negro voters in two counties.

Mississippi Gov. Ross Barnett promptly labeled the action as interference with local self-government.

Atty. Gen. Robert F. Kennedy said in Washington that Justice department investigations showed "a clear-cut pattern of discrimination."

NOT RECTIFIED

The suits, he said, were filed "because the situation has not been rectified nor are there assurances that it ever will be rectified by local action."

Legal Points Plague Feds' Case On Voting Registrars

By JOHN HERBERS
United Press International

JACKSON, Miss. (UPI)—A new legal point has been raised in U. S. District Court here that could determine the effectiveness of the 1960 Civil Rights Act as it pertains to Negro voting.

It hinges on whether the federal government will have to prove fraud against registrars accused of discriminating against Negroes.

The Justice Department filed suits under the 1957 and 1960 Civil Rights Acts against four county registrars in Mississippi. Similar suits had been filed previously in other southern states and the courts had ruled that registrars must turn over their voting records for government inspection.

As a matter of routine, government attorneys sought the records in the Mississippi cases—for Forrest, Clarke, Waltall and Jefferson Davis counties.

But state attorneys charged the government could not proceed with the cases until the government made its charges more specific. Judge Harold Cox, hearing his first civil rights case, agreed if the cases constituted fraud, and he did not know how they could be anything else when registrars were accused of voting law violation, then the government would have to name dates, names and places in its bill of complaint.

NOT INVOLVED

J. Robert Owen, a young Justice Department attorney from Washington, was insistent that fraud in the technical sense was not involved. If it were the government would have to put up much more proof to get what it wants.

It wants to prove that there is a "pattern or practice" of depriving Negroes the right to vote in the counties in question. If the court finds there is such a practice then under the Civil Rights Act it may appoint referees in the counties to protect Negroes against discrimination.

That is what the state of Mississippi does not want.

The importance of the legal point was apparent Friday in an exchange between Cox and Owen.

NO FRAUD

Cox, a leading Jackson attorney before his appointment to the bench earlier this year, said he could not see how the "gross, willful discrimination" as charged by the government could be considered as anything but fraud.

Owen replied that in a technical sense he should not have to prove fraud, that he did not believe Congress in drafting the Civil Rights Act intended for the government to be required to do so.

Owen admitted there was no abundance of cases on the books to prove his point.

"This is something new under the Civil Rights Act," he said.

"I don't approach a civil rights case differently from that of any other kind," Cox said.

But Cox reserved final ruling on the matter until he can study it further.

Afterwards Owen told reporters it was the first time to his knowledge that the question of fraud had been raised in the government's voting suits.

MISSISSIPPI

ONE SAYS 'ATTACKED'

Negro Non-Violent Move Said Growing

MCCOMB, Miss. (AP) — A Negro non-violent movement in Pike County reported "tremendous" growth today in the wake of the alleged beating of a New York Negro by a white man.

More than 200 McComb Negroes attended a mass meeting of protest Tuesday night, compared with 10 or 15 ordinarily attending Pike County non-viloent meetings.

The group was protesting the arrest and conviction of two Negro sitters-in at the McComb Woolworth Store last week.

One speaker, Robert Parrish Moses, 26, a field representative of the Student Non-Violent Coordination Committee, charged Tuesday that an Amite County white man attacked and beat him as he attempted to register other Negroes to vote.

Moses identified his assailant as a "Billy Jack Jones," about 25, of Amite County but Sheriff E. L. Caston said he didn't think anyone by that name lived in the county.

TO PRESS CHARGES

Moses said he would press charges despite what he called "the run-around" from Sheriff Caston. He said Caston reported he couldn't do anything about it and that he should see a justice of the peace.

The Rev. James Bevel, Negro minister from Itta Bena, reported "tremendous gains" were shown in the Pike County non-violent movement in just a day. He said earlier meetings had brought only "spatterings of response."

Meanwhile, Hinds County appeal trials were scheduled to continue in Jackson today for more than 180 "Freedom Riders" arrested and then convicted since May 24.

Selection of a 12-man jury begins for the appeals of Doris Castle, 19, and Jerome Smith, 22, both New Orleans Negroes. All-white juries have convicted two Negroes and sentenced them to four-month jail terms and $200 fines.

And in Greenville, a $500 appeal bond was posted for John Frazier, 20-year-old Negro convicted of breach of the peace for picketing a downtown store.

Frazier was sentenced to 90 days in jail and fined $100 for carrying a sign saying the variety store "discriminates against Negroes in its hiring policies." The picketing backed a boycott against certain stores.

HIGH PRAISE

But despite his arrest, Frazier left jail with high praise for Police Chief W. C. Burnley.

"We want to thank Chief Burnleyf o rthe fine job of keeing racial peace here in Greenville," he said. "He is respected by both white and Negro citizens."

While speking to the Pike County mass meeting, which included no whites except for two newsmen and a small police detachment, Rev. Bevel said he "expects to see 2,000 to 3,000 young people in jail by Christmas." He was referring to the Jackson racial situation.

Moses charged he was beaten on the Amite courthouse grounds in Liberty while a city marshal directed traffic nearby and a state highway patrolman sat in his car in front of the courthouse.

"Law down here is law made by white people enforced by white people for the benefit of white people," Moss said. "It will remain that way until Negro eople vote."

Moses has been directing voter registration schools in and near McComb for the benefit of Negroes who seek to vote in Mississippi.

Registration Help Provokes Attack

New York Negro Is Beaten By White Man

LIBERTY, Miss., Aug. 29.—(AP)—A New York Negro, escorting two other Negroes to the Amite County Courthouse to register as voters, said he was attacked by a young white man Tuesday.

Robert Parrish Moses, 26, a field representative of the Student Non-violent Co-ordination Committee, said he was the victim of the attack.

Moses said the man walked up to him outside the courthouse and asked:

"'What are you trying to do?'"

"I fell to the ground and he started beating me," said Moses. "I guess he got tired and finally he quit."

Moses said the man was accompanied b ytwo other white men who stood by.

Moses said he reported the incident to Sheriff J. P. Caston, who, according to Moses, said he could do nothing about it unless formal charges were filed.

Moses said he went to a justice of the peace office but found that official away attending a wedding. Moses returned to nearby McComb where he reseived five stiches for a cut scalp.

Ballot-Seeking Negroes Beaten, NAACP Reports

WASHINGTON (AP)—The Justice department said Thursday the FBI is investigating a complaint that Negroes in Amite County, Miss., were beaten when they sought to register to vote.

The complaint was made by the National Association for the Advancement of Colored People in a telegram to the department by Clarence Mitchell of the NAACP's Washington bureau.

It said in part: "We are advised that on Aug. 29 persons who attempted to register were beaten by hoodlums. We have long and persistently urged the colored citizens of Mississippi to register and vote. We are continuing to do this because we know that the U.S. government has a clear, legal mandate from Congress to give full protection against violence. The situation in Amite County is a challenge from lawless elements that should be met with speed and firmness."

There was no immediate comment from the Justice department.

AUGUST
AMITE COUNTY, MISSISSIPPI
NEGROES BEATEN- SOUGHT TO REGISTER AND VOTE

U.S. INTERVENES IN VOTER CASE

Jackson Daily News
P. 1 Thurs. 9-21-61

The U.S. Justice Department was scheduled to go into federal court here today in an effort to halt criminal prosecution of a Negro who was arrested as he sought to register voters in Walthall County.

Jackson, Miss.

The Justice Department has asked for an injunction halting trial of John Hardy, 21, of Nashville, in a Walthall County justice of the peace court for breach of the peace.

Hardy is scheduled to be tried in Tylertown tomorrow.

U.S. Atty. Gen. Robert Kennedy had the suit filed in federal district court in Meridian late yesterday. Judge Harold Cox was to hear the matter at 1:30 p.m. today.

The Justice Department also seeks to forbid alleged intimidation or coercion of Negroes seeking to register to vote in Walthall County.

Hardy was arrested September 7 in Tylertown in the circuit clerk's office where he sought to register two Negroes to vote.

INTIMIDATION CHARGED

The federal government charged Hardy was arrested as part of an effort by Walthall County officials to intimidate and discourage Negroes from trying to register. It said such action violated the 1957 civil rights act.

Named as defendants were John Q. Wood, Walthall County registrar; Edd Craft, sheriff; Creed O. Mounger, city attorney of Tylertown, and Michael L. Carr, of Brookhaven, district attorney.

Jackson, Miss. 9-21-61

Hardy was arrested Sept. 7, the complaint said, after Wood ordered him out of the circuit clerk's office at gunpoint and struck him on the back of the head with the gun as he was leaving.

Hardy had accompanied two Negroes seeking to register.

Sheriff Carft arrested Hardy, the complaint said, and allegedly threatened to beat him "within an inch of his life."

Mounger and Carr participated in the alleged intimidation of Hardy by questioning him at length about his registration activities while he was in jail, the complaint said.

The attorney general said "the Constitution guarantees all citizens the right to register and vote without fear of coercion, intimidation or physical harm. It is our responsibility to maintain that right and we have taken this action in accord with our responsibility.

"We also have asked the court specifically to halt prosecution of Hardy because we believe that the sole aim of his arrest and prosecution is the coercion and intimidation of Negroes seeking to register."

The complaint asked for an injunction against any intimidation, and for a temporary restraining order, a preliminary injunction and a permanent injunction against prosecution of Hardy.

Unless such injunctions are granted, the complaint said, the defendants will continue to intimidate Negroes seeking to register "by continuing the prosecution of John Hardy and by other similar means."

The complaint said that since Sept. 7, when Hardy was arrested, "no Negroes have attempted to apply for registration in Walthall County."

Hardy, 21, a member of the Student Non-Violent Coordinating Committee, had gone to Walthall county to set up a school to encourage Negroes to register and instruct them in registration procedures.

As many as 50 Negroes attended classes at the school, which began August 18.

On the day of his arrest, Hardy went to the registrar's office with two Negroes who sought to register after attending the classes.

The Justice Department also amended its complaint in an earlier Walthall County case, brought Aug. 3, against Wood and the state of Mississippi. That suit alleges that Negroes in the county have been unlawfully discriminated against in their attempts to register and vote.

NO NEGROES REGISTERED

The suit said that although a substantial majority of the county's 4,536 white residents were registered none of the 2,490 eligible Negroes were registered. The amended complaint and its specific examples of discrimination against Negro applicants which supposedly have occurred since the original complaint was filed.

The new action asked for a preliminary injunction against "any act which would deprive any citizen in Walthall county of the right to register and vote without distinction of race or color."

The specific examples of alleged recent discrimination included one on Aug. 30 when four Negroes attempted to register. Ruby Magee and Sidney Elizey completed the application forms but were rejected by Wood, the complaint said. The Magee woman is a college student. Elizey is a former school teacher in the county.

The other two Negroes, Easley Walker and John Turner, were not permitted to fill out applications, the complaint added.

Mississippi Area Called Lawless

Birmingham Post-Herald
P-7 Wed-10-4-61

Few Lawyers Available To Negroes, Justice Dept. Attorney Tells Judges

Birmingham Ala.

MONTGOMERY, Oct 3 (AP)—A Federal lawyer today pictured Walthal County, Miss., as a place of near lawlessness and said Negroes who lived there "have very few lawyers to defend them."

Justice Dept. Atty. Burke Marshall, arguing before the Fifth U. S. Circuit Court of Appeals, also accused Mississippi officials of filing a "trumped-up charge" against one Negro there, John W. Hardy.

The Federal government is striving to prevent trial of the 21-year-old Negro from Nashville. He was arrested at Tylertown, Miss., Sept. 7 after a fistfight with a voter registrar.

U. S. attorneys are challenging the refusal of Federal Dist. Judge Harold Cox to stop the trial. Hardy's trial on a breach of the peace charge has been postponed pending outcome of the appeal.

The tribunal took the case under consideration. There was no indication when a ruling might come.

Walthall County Negroes live in a place with "practically no law and have very few lawyers to defend them," Marshall declared, adding that Hardy's arrest was an "attempt to intimidate them to prevent them from registering to vote."

A Mississippi assistant attorney general, Edward Cates, retorted that the Federal government is seeking to "condemn a whole state without evidence."

Federal lawyers have presented no proof that Negroes in Walthall County are afraid to try to register to vote in the wake of Hardy's arrest, Cates argued. "The government has submitted no affadavits from Negroes or anything similar to back up this charge," he said.

Cates denied that prosecution of Hardy in connection with the scrap with Circuit Clerk John Wood is illegal. Hardy reportedly refused to leave Wood's office as the official demanded, and trouble started.

"The charge of false prosecution is merely an assumption," said the Mississippi attorney. He said Hardy admitted that he was not

Mississippians Being Heard In Voter Case

Alabama Journal
P-1 Wed-10-4-61
Montgomery Ala.

Another round opened today in the legal battle which began as a brief fistfight in a Mississippi voter registration office.

The U.S. 5th Circuit Court of Appeals was scheduled to hear arguments in the Justice Department's attempt to block the trial of one of the participants on a breach of the peace charge.

ADMITS BLOW

Circuit Clerk John Wood of Tylertown, Miss., and John W. Hardy, a 21-year-old Nashville, Tenn., Negro, opened the scrap Sept. 7. Wood said he hit Hardy after ordering him to leave his office.

Hardy had gone to Wood's office to help a Negro couple register. He later was arrested and charged with breach of the peace.

Action Sought In Vote Cases

Commercial Appeal
P-13
Memphis Tenn.

Discrimination Is Charged In Mississippi, Louisiana

Overall-10-17-61

From The Commercial Appeal Washington Bureau

WASHINGTON, Oct. 16. — The Justice Department Monday asked Federal courts to forbid discrimination against Negroes seeking to vote in Panola County, Miss., and Plaquemines Parish.

The Panola County complaint was filed in Federal District Court in Oxford, Miss., and named as defendants the State of Mississippi and Leonard C. Duke, registrar.

The complaint charged that different and more stringent standards have been applied to Negro voting applicants than to whites in Panola County and in Plaquemines Parish.

It alleged qualified Negroes have been denied the right to vote despite the provisions of the 1957 and 1960 Civil Rights Acts. Both acts were enacted over the opposition of Louisiana and Mississippi congressmen.

The complaint said more than 5,000 of Panola County's 7,639 eligible whites are registered to vote, but only 10 of the 7,250 eligible Negroes are registered.

In Plaquemines Parish, it said, 6,714 of the 8,633 eligible whites are registered, and only 45 of the 2,897 eligible Negroes. The Plaquemines complaint was filed in Federal District Court in New Orleans. Plaquemines is the home of segregationist leader Leander Perez.

In both cases, the courts were asked to find the existence of a pattern of racial discrimination against prospective Negro voters and to issue orders forbidding it.

Mr. Duke said he had not been notified of the Panola County suit and that he had no comment.

Court agrees that Miss. is too rough

WASHINGTON — (NNPA) The Federal district court at Montgomery on Monday upheld the contention of the Justice Department that prosecution of John Hardy, 21, of Nashville, Tenn., was intended to intimidate colored persons seeking to vote in Walthall County, Miss.

In granting the injunction asked by Atty. Gen. Robert F. Kennedy, the court agreed that acts of intimidation and coercion attributed to the Walthall County registrar are in violation of the Civil Rights Act of 1957.

A member of the Student Non - Violent Coordinating Committee, Mr. Hardy had gone to Walthall County to set up a school to encourage colored persons to register and to instruct them in registration procedure.

HE WAS arrested on Sept. 7, by Walthall County Sheriff Edd Craft, for disturbing the peace, when he went to the registrar's office with two colored applicants who sought to register after attending classes.

The Justice Department complaint said John Q. Wood, the registrar, ordered Mr. Hardy out of his office at gun-point and struck Mr. Hardy on the back of the head with the gun as he was leaving.

In his complaint filed on Sept. 20 in the U.S. District Court in Meridian, Miss., the Attorney General named as defendants, in addition to Wood and Craft, the Tylertown City attorney, Breed O. Mounger, and the district attorney, Michael L. Carr.

* * *

MR. KENNEDY'S complaint asserted that the purpose of arresting Mr. Hardy was to intimidate colored persons in the county and discourage them from trying to register.

He informed the court that, although a substantial majority of the county's 4,536 white residents were registered, none of the 2,490 eligible Negroes were registered.

He asked for specific order, halting state prosecution of Mr. Hardy, and forbidding intimidation or coercion of future colored registrants.

Statement By U.S. Asked On Aim For Voting Referee

By The Associated Press

JACKSON, Miss., Aug. 22.—State lawyers asked United States District Judge Harold Cox Tuesday to force the Justice Department to say whether it wants voting referees named for two Mississippi counties.

The state request came in motions filed by Asst. Atty. Gen. Dugas Shands for the state and the Forrest and Clarke County registrars in the Federal Government suit charging the two counties discriminated against Negroes seeking registration as voters.

The Government has filed suits ordering an end to discrimination and to force the officials to open registration books for inspection.

Shands asked Judge Cox for a hearing at 10 a.m. Sept. 4 on his motions, which seek more definite statements of the accusations lodged by the Justice Department against the state and Circuit Clerk Theron C. Lynd of Forrest County and Circuit Clerk A. L. Ramsey of Clarke County. Circuit clerks are voter registrars in Mississippi.

The Government has not indicated whether it will seek voter registrars in the two counties or others under fire—Walthall and Jefferson Davis.

May Be Appointed

Under the 1960 Civil Rights Act, voting referees may be appointed by a Federal court, which would name one or more voters in a given judicial district to serve as referees.

The referees would receive voting applications from persons claiming their voting rights were denied them on grounds of race and the referees would give a hearing under oath and report to the court.

The court would notify the state and ask it to show within 10 days why the court should not act on the basis of the report.

Refusal by any officer to comply with a court order in such cases would constitute contempt of court.

In its motions, Shands also charged the accusations were "so vague, broad, general, all-inclusive and-or ambiguous that this defendant cannot reasonably or properly be required to frame a responsive pleading or answer."

Details Requested

He said the Government should back each allegation with details about when, where, how, etc. He said the charges of discrimination against Negroes seeking to register should include the dates, what registration standards were applied and similar details.

He said the figures cited by the Department to show a disproportionate number of white voters should be substantiated and a connection made with the voter registrars.

The next action in the vote suits is set for hearing Friday before Judge Cox. The state motions would come later.

VOTE REFEREE QUESTION EYED

Lawyers Ask Answer by Justice Department

By JAMES SAGGUS

JACKSON, Miss. (AP) — State lawyers asked federal district Judge Harold Cox Tuesday to force the justice department to say whether it wants voting referees named for two Mississippi counties.

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REPORT TO COURT

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The next action in the vote suits is set for hearing Friday before Judge Cox. The state motions would come later.

U. S. Asks Court Orders In Mississippi Vote Case

WASHINGTON (NNPA)—In action unprecedented for speed the Justice Department filed a suit Wednesday asking court orders forbidding further intimidation and coercion of Negroes seeking to register in Walthall County, Miss.

At the same time, the Department requested specific orders halting state court prosecution of John Hardy, 21, Nashville, Tenn., who was arrested on Sept. 7 while trying to help would-be colored voters in Walthall County to register. Wardy's trial was scheduled for Friday.

Atty. Gen. Robert F. Kennedy said the suit was filed in the United States District Court in Meridian, Miss. He listed the defendants as John Q. Wood, Walthall County registrar of voters; Edd Craft, sheriff; Breed O. Mounger, city attorney in Tylertown, Miss., the county seat; and Michael L. Carr district attorney.

CHARGES INTIMIDATION

Kennedy said the suit asserts that the purpose of arresting and prosecuting Hardy on "disturbing the peace charges" is to intimidate Negroes in the county and discourage them from trying to register. This is a violation of the Civil Rights Act of 1957.

Hardy, a member of the Student Non-Violent Coordinating Committee, was arrested on Sept. 7, after the registrar ordered him out of his office at gunpoint, and struck him on the back of the head with the gun as he was leaving. Hardy had accompanied two colored persons seeking to register.

Craft arrested Hardy afterwards, the suit asserts, and threatened to beat him "within an inch of his life." Mounger and Carr took part in the alleged intimidation by questioning Hardy at length about his registration activities while he was in jail.

"The Constitution guarantees all citizens the right to register and vote without fear of coercion, intimidation or physical harm," Kennedy said. "It is our responsibility to maintain that right and we have taken this action in accord with our responsibility.

"We also have asked the court specifically to halt persecution of Mr. Hardy because we believe that the sole aim of his arrest and prosecution is the coercion and intimidation of Negroes seeking to register."

The suit asserts further that, since Sept. 7, when Hardy was arrested, "No Negroes have attempted to apply for registration in Walthall County."

ENCOURAGED REGISTRATION

Hardy had gone to Walthall County to set up a school to encourage Negroes to registrar and instruct them in registration procedures. As many as 50 persons attended classes at the school, which began August 18.

In another action, the Justice Department amended its suit in an earlier Walthall County case, brought August 3 against Wood and the State of Mississippi. That suit asserted that colored people in the county have been unlawfully discriminated against in their attempts to register and vote. Although a substantial majority of the county's 4,536 white residents were registered, none of the 2,490 eligible Negroes were registered.

The amended complaint added specific exampues of unlawful discrimination against colored applicants which have occurred since the original suit was filed. The new action asked for a preliminary injunction against "any act which would deprive any citizen in Walthall County of the right to register and vote without distinction of race or color."

Included among the specific examples of recent discrimination was one on August 20, when four Negroes attempted to register. Miss Ruby Magee, a college student, and Sidney Elizey, a county school teacher, completed the application forms, but were rejected by Wood. The other two, Easley Walker and John Turner, were not permitted

REGISTER TO VOTE

Mississippi Negroes Helped By Government

JACKSON, Miss. (UPI)—The long arm of the federal government is now reaching into some of Mississippi's most remote counties to help Negroes in their efforts to register and vote.

Federal agents have conducted investigations in many of the state's 82 counties and the Justice Department has filed federal court suits against officials regulating voting in six counties — Forrest, Clarke, Walthall and Jefferson Davis in South Mississippi and Panola and Tallahatchie in the north central section of the state.

A Justice Department spokesman in Washington was recently quoted as saying there would have been more suits had not local officials agreed to allow all qualified persons who applied to register. However, the counties involved were not disclosed.

The government's action, taken under the 1957 and 1960 civil rights acts, has been met with great indignation by state and local officials who say it is a violation of states rights. The Justice Department, of course, maintains that individual rights in this instance are more important.

Latest of the six suits was filed against Tallahatchie County which has more Negro residents than whites but, according to the government, has no Negro voters. The Justice Department said 4,300 of the county's 5,099 whites were registered. It said there were 6,483 Negroes of voting age.

Unlike the other suits, the Tallahatchie County action is directed primarily against the sheriff, Ellett R. Dogan, who was accused of preventing Negroes from paying their poll taxes, a prerequisite to registration.

The suit said it had been the policy of the sheriff's office at least since 1946 to refuse to allow Negroes to pay their poll taxes.

Outsiders, told that Negro voting is light in Mississippi because of their own apathy or their inability to meet educational requirements, find it hard to believe that in counties like Tallahatchie there is not a single qualified Negro who wants to vote. There are, for instance, a number of school teachers in the county who are supposed to be teaching their pupils principles of good government.

It is no secret that in some counties school boards who hire teachers look with disfavor on any who do vote and there have been reports of teachers losing their jobs for attempting to do so.

There are many counties in Mississippi—principally where the larger cities are—in which registrars apply the constitutional requirements for registering citizens without regard to race and where the sheriffs allow everyone to pay their poll taxes.

Justice Department Sues To Get Forrest County, Miss. Vote Records

Claim Clerk Refused To Let Agents Check Books

JACKSON, Miss. — (ANP) — The Justice Department filed suit last week asking a federal judge to force open voter registration records in Forrest County.

The Department said Circuit Clerk Theron C. Lynd of Hattiesburg had refused to let FBI agents check registration books following complaints from Negroes seeking to register.

The action, identical with a suit filed January 11 to open Bolivar County books, asked federal Judge Sidney Mize of Gulfport to hear the Forrest County request at Hattiesburg March 13.

LEFLORE ACCEDES

The Justice Department disclosed last year it wanted to look into the registration books in Forrest, Bolivar and Leflore Counties. Leflore later permitted an inspection.

Former Attorney General William P. Rogers said it appeared only 25 Negroes in Forrest County had been registered of the 7,406 of voting age.

The suit demanded the records be made available "until inspection, reproduction and copying are completed."

The government said the 1960 civil rights act allows such inspections.

when saw them.

HEARING FEB. 7

A Savannah Recorder's Court hearing is scheduled for February 7, E. H. Gadsden, the attorney for the defendants, requested postponement when the case went before Judge George E. Oliver last week.

The seven were arrested after police said they refused to leave the city-operated basketball court. Chief of Police Sidney B. Barnes, Jr., said that Cpl. C. C. Dickerson read the state law covering unlawful assembly to the seven before taking them off to jail.

Police said they took the position that the appearance of Negroes at a public facility used only by whites in the past served to create a public disturbance, and therefore resulted in a violation of the state law regarding unlawful assembly.

The city operates resparate facilities by race, but Negroes say those provided for their race are inadequate. Groups seeking desegregation have said in the past also that all city facilities should be opened to all regardless of race.

GETS RECORDS

Barnes said FBI agents had asked for police records on the park case Monday. He said he turned the information over to the agents although he did not "receive any details" from them on the investigation.

U. S. Attorney William C. Calhoun, of Augusta, whose office has jurisdiction in the Savannah area, said he had not heard of the Washington order on the investigation nor his office received any complaint in connection with the Delfin Park case.

Mississippi Roundup—

Reapportionment Suit Case Set At Gulfport

GULFPORT, March 22 (UPI)—A legislative reapportionment su will be tried here instead of in each of the 81 other Mississipi counties.

The state had made a request for change of venues but it was denied by Harrison County Chancellor William G. Hewes Tuesday.

He also sustained a complainant's motion to dismiss the State Election Commission as a defendant in the case. The commission is composed of Gov. Ross Barnett, Secretary of State Heber Ladner and Atty. Gen. Joe Patterson.

The original complainants, six Gulfport businessmen, have brought the suit against the election commissions of the 82 counties and the state sought to have the cases heard in each county. But Hewes said it would be heard in one court to avoid confusion and legal complications.

The suit seeks to prevent future elections of the legislature until legislative reapportionment based on population is obtained. fair and free election the first time," they said. "It takes a strong local union to get a good contract and we are sure you want nothing less."

FBI Investigating Claiborne Voting

Inquiry Launched In Sixth Mississippi County

PORT GIBSON, Miss., April 14. — (UPI) — Another Mississippi county has come under the scrutiny of the Justice Department to determine if there is voter discrimination against Negroes.

It was learned Friday the FBI was investigating Claiborne County, the sixth in the state to be placed on the department's check list.

Four FBI agents were reported in this area. They have questioned Circuit Clerk Pauline Easley, Sheriff J. S. Middleton and E. T. Crisler Sr., editor-publisher of the Port Gibson Reveille.

Mrs. Easley said they just made their intentions known but did not require her to show them voting records.

Earlier this week, the FBI announced that voting records in Madison, Walthall and Forrest Counties were under investigation. It said there were other counties but declined to name them.

However, late last year the department had announced that Bolivar and Leflore Counties also were being checked.

The 1960 census showed that Claiborne had about 2,600 whites and 8,200 Negroes. However, only 1,400 persons are registered. No breakdown was available as to the number of whites and Negroes registered.

W. W. Bromwell, special agent in charge of the New Orleans FBI office, said the Justice Department had ordered the FBI "to make certain inquiries concerning the voting and registration practices in several Mississippi counties."

Feds Launch Mississippi Vote Probes

JACKSON, Miss (AP) — Federal agents launched an investigation Monday into reports of discrimination in three Mississippi counties against Negroes seeking to vote.

A Justice Department spokesman in Washington, confirming the investigations, said Madison, Walthall and Forrest counties were involved.

The spokesman said the investigations were routine to see if there was any "discrimination against certain voters under federal election laws." He declined to say if the probe would be limited to handling of Negroes seeking registration.

LIMITED TO THREE

The spokesman said the move was limited to the three counties.

W. W. Bromwell, agent in charge of the New Orleans FBI office, said the Madison County investigation was ordered at the request of John Doar, acting assistant U.S. attorney general for civil rights.

L. F. Campbell, Madison circuit clerk, said two FBI agents visited him Monday and told him they were "checking up," but he said they did not ask to see his registration records, which he said were in good order and open for inspection.

It was the second such investigation touching on Forrest County. Circuirt clerk Theron Lynd has refused to let agents check his records and a federal court suit to force him to permit inspection is pending.

Agents also sought to look at books in LeFlore and Bolivar counties in the first round of checks.

VOTER HEARING ASKED IN MISS.

Forrest Mentioned, Says Rights Chairman

JACKSON, Miss. (AP) — The chairman of the state civil rights advisory committee said the group has recommended the U. S. civil rights commission conduct a voter registration hearing in Mississippi.

The Rev. Murray Cox of Gulfport, chairman, said Thursday the hearing would be to determine whether Negro discrimination exists.

The Rev. Mr. Cox said Forrest county was mentioned incidently as an example of the need for such a hearing. He said the committee die not recommend the commission investigate Forrest county.

The justice department has examined voter registration records in Leflore county and has filed legal action to examine records in Bolivar and Forrest counties.

Approximately 22,000 of the state's more than 900,000 Negroes are registered voters. Some predominently Negro counties have no Negro registered voters.

The justice department has said this scarcity of Negro voters is more than coincidental.

The state advisory committee also adopted a resolution recommending it be continued after the cut-off date this fall.

"We feel there is a lot that needs to be done," Cox said, adding that the resolution did not recommend any change in the number of committee members.

3 MORE STATE COUNTIES FACING NEGRO VOTE INVESTIGATION

Three more state counties are facing investigation of Negro voting rights. A Justice Department probe of reports of discrimination against Negroes who try to vote was expanded to include the three counties last week.

A Justice Department probe of reports of discrimination against Negroes who try to vote spread to other areas of Mississippi.

FBI agents were reported investigating complaints in Sunflower County.

The Justice Department confirmed it had ordered FBI agents to investigate complaints in Madison, Walthall and Forrest Counties.

Officers reported that agents began questioning citizens and officials in Sunflower County.

Circuit Clerk C. C. Campbell of Indianola, the county registrar, could not be reached.

Federal authorities declined to comment on reports their probe had been broadened.

W. W. Bromwell, agent in charge of the FBI in New Orleans, yesterday confirmed he had ordered investigations in some areas of Mississippi at the specific request of the Civil Right Division of the U. S. Justice Department.

The Justice Department said yesterday the investigations were routine to determine whether there is "discrimination against certain voters under federal election laws."

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The state committee also adopted a resolution recommending it be continued after the cut-off date this fall. "We feel there is a lot that needs to be done," Cox said, adding that the resolution did not recommend any change in the number of committee members.

CR Advisers Seek State Vote Hearing

By THE ASSOCIATED PRESS

Mississippi Civil Rights Advisory Committee recommended the U. S. Civil Rights Commission conduct a voter registration hearing in the state to determine whether Negro discrimination exists.

The Rev. Murray Cox of Gulfport, committee chairman, said Forrest County was mentioned incidently, "as an example of the need for such a hearing."

He said the committee did not recommend the commission investigate Forrest County.

The Justice Department has

The Right Of Mississippi Negroes To Vote

In recent weeks the U. S. Department of Justice has been showing increased concern with the matter of the denial of the right to vote to Negro citizens, an exclusively southern fault in the nation-wide pattern of segregation and discrimination against Negro citizens; a fact that, in the eyes of the rest of the peoples of the world, is probably the worst blot on American Democracy.

The increased concern of the U. S. Department of Justice with this matter is evident in the recent suits filed against the states of Alabama and Louisiana because of the denial of the right to vote to Negro citizens of those states; and as regards this matter, as things exist today in Mississippi such a suit can be expected in this state at anytime.

The existing widespread denial of the right to vote in Mississippi, supported by recently enacted state laws, admittedly proposed for that purpose, and the psycological effect on Negroes from the attitude of those who command the economic and political power and authority at the local levels is well understood by every observant and intelligent Mississippian.

In such a time as this in the nation's history when its most renowned scholars and highest placed political leaders witnesses to the adverse effects of racial segregation and discrimination on American democracy, and the position of this nation in the eyes of the world, we think the time has come for intelligent Mississippians to join in helping to remove this blot from this state.

There is one thing about which those who are in a position to help Negroes in obtaining the right to vote in the state can be doubly certain, and that is that the only reason that the best and responsible Negroes of this state want the right to vote is to be able to ing what is best for the future of their community and state.

Those who have allowed the question of public school integration to become the excuse for supporting the widespread denial of the right to vote to Negroes in the state would be far more realistic in concluding that Negroes in Mississippi, despite the urging of the professionals, are beginning to look upon their school as just another American school, and are not going to vote them out of existence.

There is some evidence also on which to base the conclusion that Mississippi Negroes should be given the full right to vote now in order that the people of Mississippi can get the true picture of the impact of American Race prejudice on the nation's world position from those who are in a position to know. Recently the Attorney General of the United States has revealed that he has been discussing this matter with southern members of the Congress who have given their approval to his plans, but always with the reservation, "don't mention my name because it will hurt me politically."

The only reason any southern member of the Congress can be hurt by openly admitting the need for changing the racial patterns and attitudes in this country is because of the widespread denial of the right to vote to Negroes in the area which the members of Congress represents.

Give the Mississippi Negro the right to vote. Let the state's members of the Congress speak free on race relations in Mississippi and its effect on the nation and the rest of the world is one of the greatest challenges now facing the responsible citizens of this state.

Vote Inquiry Aim For Mississippi

Civil Rights Hearings In Forrest County Asked By Negro Group

United Press International

JACKSON, Miss., March 15.—A group of Mississippians urged Wednesday that the United States Civil Rights Commission hold public hearings on alleged voter discrimination in the state.

A resolution recommending such hearings "preferably in Forrest County" was adopted by the commission's State Advisory Committee.

Rev. C. P. Payne, a Negro Methodist minister from Meridian and one of the committee's nine members, offered the resolution.

Such a hearing, said Rev. Payne, would "bring into the open irregularities that we know exist."

None Scheduled

The commission has held such hearings in other Southern states but none has been scheduled in Mississippi. However, the Justice Department has examined voting records in Leflore County and has filed legal action in attempts to examine records in Forrest and Bolivar counties.

William Higgs, a Jackson attorney who has filed suit in an attempt to prevent the state from giving funds to the pro-segregation Citizens' Councils, met with the committee. Higgs is not a member but is assisting subcommittees in gathering information and making reports.

Higgs said it "doesn't seem necessary" to hold a public hearing in order to uncover voting irregularities.

He said the committee could gather information through interviews, "possibly with someone in the Negro community asking questions."

Urges Continuation

The committee also adopted a resolution urging that the Civil Rights Commission, along with state advisory committees be continued by the present Congress. If no congressional action is taken on the matter the commission will be disbanded in November.

The resolution, offered by the Rev. Richard Ellerbrake of Biloxi, also recommended that the commission be expanded to include regional advisers who would work with state committees.

Mrs. Wallis Schutt said she sees a "definite need" for continuation of the Mississippi committee. "I feel that now we know what we are doing."

The Rev. Murray Cox of Gulfport, committee chairman, said he felt "that he had our previous work to do over again we could do a better job."

The committee neared completion of a series of reports to the Civil Rights Commission.

Our Voting Laws Considered For Adoption In Missouri

Jackson Daily News
Jackson Miss.
Mon. 2-13-61

Mississippi's literacy test voting requirements have been the subject of slander and abuse for lo, many years. More and more states, including those who have been harshly critical of Mississippi's laws, are now turning to our laws in order to elevate the quality of the electorate and prevent incompetent characters from seizing office through mass voting which smacks of fraud.

Having undergone a running bombardment of warped and unfair criticism, Mississippi's laws nonetheless will remain on the books and rather than being diluted have been strengthened, which is certainly correct and proper.

In the face of this criticism, it is a source of pride to see other states following Mississippi's leadership on the important civic subject of voting. This development once again points up the falsity of the charges leveled against the South, for if what we have been doing was so utterly wicked, why are more and more public-spirited voices elsewhere now seeing as we have seen?

Missouri is presently concerning itself with this subject, as is eloquently pointed out in a recent editorial in the St. Louis Globe-Democrat. Except for the false and chronic accusations made against the South in the sixth paragraph of the editorial reprinted below, we find ourselves generously in general agreement with the esteemed St. Louis newspaper which said:

Two proposals concerning voting qualifications have been introduced into the State Assembly.

A joint resolution by Representative Snyder and others provides that persons unable to read and understand the English language may by law be excluded from voting. This proposal is greatly in the public interest.

It is inconceivable that a person who cannot read and write can decide intelligently on the qualifications of the many candidates on the ballot, or the even more difficult special propositions such as Constitutional Amendments.

A vote cast by an illiterate bears the same weight as that of the thoughtful person who reads and absorbs all he can to prepare himself for the responsibility which is his once he enters the ballot box.

The vote of the illiterate, therefore, downgrades the value of the ballot of the more qualified person and encourages a general "what-does-it-matter-anyway" attitude on the part of those who should be more scrupulous in exercising their franchise.

Twenty states now impose a literacy test in one form or another for voting. These include a few states in the deep South where the test has been devised obviously to keep Negroes from voting, but it also includes a number of other states which do not share that motive such as Alaska, Arizona, California, Connecticut, Delaware, Hawaii, Maine, Massachusetts, New Hampshire, New York, Oregon, Washington and Wyoming.

The illiterate voter is, of necessity, the captive and creature of the machine bosses of either party whose objectives are frequently far from identical with the public interest. Missouri will upgrade its entire government when a literacy test or similar requirement for voting is enacted.

Of questionable value is a resolution submitted by Representative Harlow and Degenhardt which would lower the voting age from 21 to 18.

The classic illustration used to justify lowering the voting age is the assertion that anyone who is old enough to fight for his country is old enough to vote. We do not believe that the two are necessarily compatible.

The teenager and younger voter is frequently swayed by the superficialities of the situation. The age group which has made national figures of people like Frank Sinatra and Elvis Presley is scarcely the one to be entrusted with the solemn franchise of deciding the nation's leaders.

While many college-age students are sober and responsible citizens, a large percentage of them frequently forms the backbone for malcontents or crackpot schemes at home or in such widely separated areas as South America and Japan, and in the outbursts against the House Un-American Activities Committee in San Francisco.

The balanced judgment required of a voter can come only with education and can begin by having attained the minimum legal age of 21.

U.S. Vote Inquiry Delayed In County

The Commercial Appeal
Memphis Tenn.
Dale. 3-7-61

Who's Bringing Suit Is Not Clear In Clarksdale

CLARKSDALE, Miss., March 6. — (UPI) — A Justice Department move to investigate Bolivar County's voting records was delayed Monday because Robert Kennedy has succeeded William Rogers as attorney general.

United States Judge Claude Clayton did not hear the department's request for an order opening the records for inspection because he was "somewhat confused" over who was bringing the action.

Gerald P. Choptin, a Justice Department attorney from Washington, said the attorney general is the plaintiff. Clayton pointed out that the department's request, filed before Kennedy's appointment listed Rogers as attorney general.

Choptin said he did not believe this would affect the mtater. Judge Clayton said he thought it would but he did not rule on the point. He gave the Justice Department 15 days to file a brief on it and Bolivar County 15 days to answer the department brief.

The department is seeking a court order forcing Mrs. Walter Lewis, Bolivar County circuit clerk, to open the records for inspection to determine if Negroes are discriminated against in registration.

Mrs. Lewis was represented by W. H. Breazeale, an attorney from Cleveland. Two assistant state attorneys general were in the courtroom.

Miss. Negroes To Hold Vote Drive

Chicago Defender
Chicago Ill.
2-15-61

JACKSON, Miss. — (UPI) — A Negro organization today began a drive to register 10,000 Negro voters during the next two months here, a spokesman said.

Carsie A. Hall, president of the Jackson Progressive Voters League, said a house-to-house push will be made to get as many of the approximately 30,000 Negroes of voting age here on the rolls.

There are about 5,000 Negroes in Jackson registered to vote, but there has been no mass drive for registration by them.

"We have been having more to go up for registration, and Thursday we will get our campaign really kicked off," said Hall, a Jackson postman.

"If we get the impression they are not giving us a fair break (at the registrar's office), we are going to call for a civil rights investigation," he said.

About 24,000 Negroes are now registered to vote in Mississippi, where Negroes number approximately half the total population of about two million.

Sees Discrimination Against Mississippians

JACKSON, Miss. — (ANP) — The Justice department began an investigation last week of reports of discrimination against Negroes seeking to vote in the Mississippi counties of Madison, Walthall and Forrest.

W. W. Bromwell, agent in charge of the New Orleans office of the Federal Bureau of Investigation, said he had ordered the Madison county investigation at his request of John Doar, acting assistant United States Attorney General for civil rights.

L. F. Campbell, circuit clerk and registrar in Madison, said two agents had called on him today and had told him they were "checking up."

It was the second time Forrest county has been involved in such an investigation. Last year, Circuit Clerk Theron Lynd refused to let agents check his records. A Federal court suit to force him to permit inspection is pending.

MILWAUKEE. — (ANP) — The Milwaukee chapter of the NAACP has raised $500 and expects to raise $500 more to aid in the legal expenses of nine Jackson (Miss.) college students recently arrested for staging a "read-in" at the segregated public library there, according to Chapter President Clarence R. Parrish.

HAMPTON, Va. — (ANP) — Eleven Negro students were convicted of trespass for sitting in at a Phoebus movie theater February 1.

Each was fined $10 and costs after Municipal Court Judge Macy M. Carmel rejected constitutional challenges by the defense. The defense noted an appeal, and the cases will be heard again in Corporation court June 5.

The defense contended the trespass law was being unconstitutionally applied to enforce segregation, and said Virginia's police and courts could not aid in such action.

Four juveniles, arested at the same time, have not had hearings. Convicted with Hulbert H. James, 19, student leader were Nathaniel O. Carmon, 22, Arnold Benjamin 26, James Morris, 18, David King 20, James Douglas, 19, Albert B. Moore III. 18, Claudette Reeves, 18, Mary A. Williams, 18, Carol Vaughn, 18, and Lucy Thornton, 21.

LYNCHBURG, Va. — (ANP) — Eleven adults were sentenced to 9 days and fined $100 on trespass charges growing out of sit-in demonstrations.

They were then granted a 60-day stay to appeal for a writ of error, and released on bond.

Later, 16-year-old Mandaline E. Thompson, a high school senior, went on trial on a similar charge.

The 11 had appealed 60-day sentences imposed by a lower court. The girl was appealing a 30-day sentence.

MIAMI. — (ANP) — "Strong protests" to the Heart association came from Miami CORE after Negro members were turned away from a benefit dance.

Mayor Robert King High said that he had no objections to Negroes attending the "Heart Hop" at city-owned Bayfront Park auditorium. The decision to conduct the benefit on a segregated basis was made by a steering committee of local disc jockeys as well as Heart association representatives.

MONTEAGLE, Tenn. — (ANP) — "The student sit-in movement has put democracy on trial in international headlines and destroyed the myth that change in the South must be slow," proclaimed Wyatt Tee Walker, executive director, Southern Christian Leadership conference, in a speech to the opening session of a three-day college workshop at Highlander Folk school.

Ninety students representing 21 colleges and universities and five national organizations attended the workshop. Meeting under the theme, "New Frontiers For College Students," the workshop assessed the meaning and direction of the students' struggle for democracy in the South.

COLUMBUS, Ohio. — (ANP) — Miss Evelyn Pierce, one of the nine Tougaloo college students who were arrested on March 2, for attempting to use the public library in Jackson, Miss., will speak here at an NAACP mass meeting in Columbus on Sunday, April 23, at Second Baptist church.

When Miss Pierce and the other eight students were in court on March 30, persons who had come to witness the trial overflowed the court room and gathered on the street outside, were attacked by vicious Nazi-trained police dogs according to a release from the NAACP national office.

The NAACP revealed this week that the snarling German police dogs, now 'on duty' with the local police force, were trained by a former Nazi storm trooper.

They were signaled to ferocious action attacking a peaceful group of Negro citizens standing outside the city's courthouse, the NAACP reported.

Harry Nawroth, trained famous Doberman pinschers to guard Hitler's airport. He has trained more than 25,000 dogs of all breeds during his lifetimie.

LEXINGTON, Ky. — (ANP) — The arrest of 22 members of Lexington CORE while picketing the Kentucky theater has "aroused the community to real action" reports CORE chairman Julia Lewis.

Since the arrest, scores of CORE members have returned to the picket line each evening. "They don't dare arrest us. They know we are right," added Miss Lewis. On two previous occasions CORE members were arrested while picketing theaters and both times charges were dismissed.

PHILADELPHIA. — (ANP) — CORE picketed the downtown Horn and Hardart restaurant in protest against employment discrimination. They drew considerable interest from heavy midtown shopping crowds.

CORE chairman, Leverne McCummings said, "Horn and Hardart's employs seven hundred but has only three Negro waitresses. We've tried through negotiations to get them to hire Negroes as well as whites. Now we're bringing the discrimination to the attention of the public."

The CORE pickets bore signs saying "Not A Bite While All Waitresses Are White"—"Help Win Equal Job Opportunities"—"White Cashiers Only, Is This The North?"

IN MISSISSIPPI

Mixed Ideas Greet Negro Voting Probe

By JOHN GARCIA
United Press International

Three Mississippi counties have greeted a secretive federal investigation of Negro voting registration with a mixture of strong resistance cooperation and indecision.

The counties, Bolivar, Leflore and Forrest, haven't heard from the Justice Department since September, a month after it announced its inspection of several counties to determine if Negroes are prevented from registering to vote.

Bolivar refused to hand over the records, Leflore invited the FBI in, and Forrest hasn't made its decision yet.

But in all this time, the department hasn't made its results public.

Contacted this weekend, all the department would say was, "Those counties are still under consideration." It would not say if anything was coming up or at all.

OFFICIALS JUST WAIT

In the meantime, officials in the counties are waiting, with no idea of what's going to happen next.

Mrs. Walter Lewis, circuit clerk of Bolivar County said the FBI gave her 15 days to "allow or refuse its demand that I make the records available to them."

She said the FBI extended the 15 days, and, in September, "I refused the FBI's demand and I haven't heard from them since." She said she did not know whether the department would make further demands or if they could override her refusal.

However, her position came after an invitation by House Speaker Walter Sillers that the investigators come in "because we have nothing to hide." Sillers is from Bolivar County.

Circuit Clerks Mrs. Martha T. Lamb of Leflore and Theron C. Lynd of Forrest have hired attorneys in the matter and have refused to comment.

TOOK PHOTOSTATS

However, attorney Hardy Lott said Leflore County had "nothing to hide" and invited the FBI to check its records. "They looked at them and remained five or six days and left with photostats of our records."

Attorney M. M. Roberts said Forrest County received an extension of the 15 days to answer the demand, and, as yet, hasn't decided one way or another. "The FBI hasn't pressed us for an answer and we don't know if they will," he said.

When the Justice Department announced its inspection in August, State Atty. Gen. Joe Patterson charged "the Republican attorney general is going to do all he can to aid his fair-haired candidate Mr. Nixon" and added it was the start of "the political campaign."

Patterson later said that county officials and Mississippi citizens have the right to refuse to answer questions by FBI agents on voter registration. That is what Bolivar County did.

counties as part of a South-wide investigation to determine if Negroes are prevented from registering to vote.

Results of its investigation haven't been made public.

'Still Under Consideration'

This week end the department would only say, "Those counties are still under consideration." It would not say if anything was coming up soon or at all.

However, during this period in Mississippi, only the records in Leflore County have been checked. Bolivar County has refused to let the FBI come in and Forrest has made no decision.

Mrs. Walter Lewis, circuit clerk of Bolivar County, told United Press International that the Federal Bureau of Investigation gave her 15 days to "allow or refuse its demand that I make the records available to them."

She said the FBI extended the 15 days, and, sometime in September, "I refused the FBI's demand and I haven't heard from them since." She said she did not know whether the department would make further demands or if they could override her refusal.

Her refusal came despite House Speaker Walter Sillers' statement that "We welcome the investigations because we have nothing to hide." Mr. Sillers is from Bolivar County.

'Nothing To Hide'

In the other two counties, circuit clerks Mrs. Martha T. Lamb of Leflore and Theron C. Lynd of Forrest have hired attorneys in the matter and have refused to say anything.

However, attorney Hardy Lott told UPI that Leflore County had "nothing to hide" and invited the FBI to check its records. "They looked at them and remained five or six days and left with photostats of our records."

He said no word has been received from the FBI regarding its findings.

Attorney M. M. Roberts said Forrest County received an extension of the 15 days to answer the demand, and, as yet, hasn't decided one way or another. "The FBI hasn't pressed us for an answer and we don't know if they will," he said.

Atty. Gen. Joe Patterson said that county officials and Mississippi citizens have the right to refuse to answer questions by FBI agents on voter registration.

May Decline To Answer

"All county officials and citizens have the constitutional right to courteously and respectfully decline to answer any and all questions that may be presented to them by any representative of the United States Government on any matter, particularly questions going to registration and voting in their particular counties," Mr. Patterson said.

This is what Bolivar County did and the FBI has not made any further attempts to see the records. Nor is there any indication at this time it will press its investigation.

The Mississippi advisory committee to the Civil Rights Commission attempted in September to compile an official report on the Negro voting situation in Mississippi, but its efforts were blocked.

The Rev. Murray Cox of Gulfport, a retired Methodist minister who is chairman of the committee, said attempts to gather information from registrars regarding the number of Negroes who vote in Mississippi "confirmed our suspicions that it would be utterly impossible to get official information."

He said, however, there was one unofficial report available, that compiled by Aaron Henry, a Clarksdale Negro who is president of the Regional Council of Negro Leadership.

Refusal Claimed

The request, which asks United States District Judge Sidney Mize for a hearing on the matter at Hattiesburg March 13, claims Lynd has refused to allow FBI agents to examine the records.

The Justice Department said last year its records showed there were 7,406 Negroes of voting age in Forrest County but only 25 were registered to vote.

It was announced last fall by the Justice Department that an investigation of voting procedures would be made in Forrest, Bolivar and Leflore counties.

FBI agents checked Leflore's records. But they were denied access to records in the other two counties.

Hearing March 6

Last week, the Justice Department asked the Federal Court at Clarksdale to order Mrs. Walter Lewis, Bolivar County circuit clerk, to open her county's records. A hearing on the Bolivar case is set for March 6.

Mississippi Atty. Gen. Joe Patterson has told circuit clerks they are not required to open their voting records but the Justice Department says the 1960 Civil Rights Act makes it mandatory that the records be revealed.

pected to seek the governorship again in 1963, wrote him to express approval of the move. He wrote Kidd that "as long as individuals of this age are required to perform military service in this country and abroad, I agree that they should have a voice in the administration of the government."

Kidd was a student at Itawamba Junior College last year when he organized a group of students to attempt to lower the voting age. He called the group Political Leaders of Tomorrow (PLOT).

Voting Inquiry At Standstill

FBI Still Interested In Negroes' Status In Mississippi

By JOHN GARCIA
United Press International

JACKSON, Miss., Jan. 8. — A secretive Federal investigation in three Mississippi counties of Negro voting registration has met with strong resistance from one county, co-operation from another, and indecision from the third.

It has been five months since the Justice Department announced it would inspect records in Bolivar, Leflore and Forrest

Action Is Asked On Vote Records

U.S. Wants Forrest County Books Opened For Agents Of The FBI

By United Press International

JACKSON, Miss., Jan. 19.— The Justice Department Thursday requested a Federal Court to order Forrest County Circuit Clerk Theron Lynd to open the county's voting records for inspection.

The Government is attempting to determine if Negroes are discriminated against by voting registrars in Forrest and two other Mississippi counties.

Says Sullivan Okayed Lower Age In Voting

PONTOTOC, Miss. (UPI) — Floyce Kidd, 18, says former gubernatorial candidate Charles L. Sullivan has endorsed his campaign to lower the voting age in Mississippi from 21 to 18.

Kidd, who lives near here, also said Monday that a lawmaker had agreed to introduce a bill in the 1962 legislature to lower the age. He did not identify the legislator.

He said Sullivan, who is ex-

Breazeale Is Fined On Voting Charge

Neshoba School Board Member Convicted

PHILADELPHIA, Miss., Feb. 17.—(UPI)—Bernard Breazeale, a member of the Neshoba County School Board, Friday was convicted of unlawful voting.

Breazeale was fined $200 and sentenced to 90 days in jail by Circuit Judge O. H. Barnett, who suspended the jail term pending good behavior.

Breazeale was indicted last week on four counts of unlawful voting. He was accused of stealing about 60 blank poll tax receipts used in his November election to the School Board. Officials said the receipts were used by residents of his beat woh had not paid their poll taxes.

The other three counts against him were continued until the September term of court.

Judge Barnett found Hester Warren guilty of contempt of court for tampering with the jury that heard the Breazeale case. Warren also received a fine and a suspended jail sentence.

Voting Requisites Eliminate Many

Registration And Poll Taxes Follow General Qualifications

By LOYD V. JEFFERS
Daily News Staff Writer

Voters in Jackson and many other Mississippi cities will go to the polls on May 9 to cast their ballots in municipal elections for mayors and commissioners or aldermen.

Who can vote; where we vote; when we vote; and how we vote are all questions that are governed by state law and can be answered without an exceeding amount of difficulty. Why we vote is another question—one too voluminous to attempt in a series of four articles.

The first step in any election is to qualify for the sacred privilege of being handed a ballot with the rest of the populace on that wild and wacky day in which the representatives of the people are named, joy, pride and confidence reign supreme and hearts are broken.

FIRST QUALIFICATION

The first qualification for any vote in any state, county or city of the U. S. A. is that he be a citizen of this country. The law expressly denies the alien this franchise.

This having been achieved, either by birth or naturalization, the second qualification is that the prospective voter have been a resident of Mississippi for two years next before he offers to vote.

Now that we are getting closer to home the law further requires that the voter have been a resident of the city for one year.

Geographically now we are located in the right place and for the proper length of time.

What comes next?

The law in Mississippi excludes from voting persons who are idiots or are insane. The field narrows. Indians not taxed and persons under 21 years of age are also ineligible.

Although persons under 21 years old immediately takes away a large number of population, we are still left with a considerable prospective voting constituency.

(EDITOR'S NOTE: This is the first in a series of articles on the upcoming municipal elections dealing with laws governing voter registration, election day, candidates and other election machinery. It is an effort to dispel the general confusion regarding the regulations concerning municipal elections. Thanks are extended to Pascagoula City Attorney Robert H. Oswald for his aid in compiling a synopsis of laws governing municipal elections in Mississippi.)

Conviction of certain criminal acts also are preventive. The law excludes persons who have been "convicted of bribery, burglary, theft, arson, obtaining money or goods under false pretenses, perjury, forgery, embezzlement or bigamy." The Circuit Court Clerk is required by law to keep a list of such convictions.

FURTHER RESTRICTIONS

But, this is not all. There are still further restrictions. Illiteracy can also disqualify.

A person attempting to register must be "able to read and write any section of the constitution of the state. . .give a reasonable interpretation thereof," and "demonstrate a reasonable understanding of the duties and obligations of citizenship under a constitutional form of government."

Taxes also enter into the picture. The law requires that the voter not be in default of taxes due the municipality for the two preceding years.

This generally includes the qualifications for the prospective voter, with a few exceptions.

A minister and his wife may vote in a new district or town after having lived there only six months — instead of the one year required of others. And, a person unable to read or write because of physical disability, if otherwise qualified, may be registered to vote.

Now that the persons can place himself in the category of those prospectively eligible to vote, he must then take the next big step —REGISTER.

In order to vote in a municipal elections the voter must first be a qualified county elector and must register in the office of the Circuit Court Clerk at the county courthouse. Registration at the City Clerk's office comes next and must be completed at least four months prior to the holding of the election.

In this particular case—since the first primary is May 9—the voter must have completed registration in both the county and the city by Feb. 6.

There's more still. Don't forget the poll tax.

A voter may be registered and re-registered, but without the poll tax receipts of the current year and the preceding year, he may not cast his ballot. Poll tax deadline this year is Feb. 1. A voter may pay his poll tax any time during the year, but unless it is paid by the Feb. 1 deadline he may not vote.

An exception is made in the case of the young voter just turned 21 and the old voter over 65 years old. The youthful voter is not required to have a poll tax receipt in his first election if it occurs that year, and the elder voter is exempted by law from paying the poll tax.

A new registration law passed in last year's Legislative session also requires that the Circuit Court Clerk may ascertain that the person attempting to register be of good moral character.

The preceding attained, you are now a qualified voter—with exceptions, of course.

3 counties await U.S. vote probe

JACKSON, Miss. (ANP) — It's like listening for the other shoe to drop on the floor for three Mississippi counties waiting for the justice department to begin a probe of their voting practices.

Last August the justice department announced that it intended to make an investigation to determine if colored persons were being prevented from voting in Leflore, Bolivar and Forrest counties.

Then a month later, in September, the counties were asked to make their voting records available to federal investigators.

Bolivar refused the request. Leflore authorities said they had nothing to hide so told the FBI to move on in. Forrest county authorities couldn't get together on a response and the matter is still up in the air.

But nothing more has happened.

Now with a new administration and a new attorney general, Robert Kennedy, brother of the President, the counties are jittery, wondering if the government will proceed or drop the matter.

Mrs. Walter Lewis, circuit clerk of Bolivar County said the FBI gave her 15 days to "allow or refuse its demand that I make the records available to them."

She said the FBI extended the 15 days, and in September, "I refused the FBI's demand and I haven't heard from them since." She said she did not know whether the department would make further demands or if they would override her refusal.

Voting Records Probe Delayed

CLARKSDALE, Miss. (UPI) — Robert Kennedy's appointment as attorney general resulted today in delay of a justice department move to investigate Bolivar county voting records.

U. S. Judge Claude Clayton did not hear the department's request for an order opening the records for inspection because he was "somewhat confused" over who was to bring the action.

Gerald P. Choptin, a justice department attorney from Washington, said the attorney general is the plaintiff.

Clayton pointed out that the department's request, filed before Kennedy's appointment, listed William Rogers as attorney general. Choptin said he did not believe this would affect the matter.

Clayton said he thought it would but he did not rule on the point. He gave the justice department 15 days to file a brief on it and Bolivar county 15 days to answer the department brief.

The department is seeking a court order forcing Mrs. Walter Lewis, Bolivar county circuit clerk, to open voting records for inspection to determine if Negroes are discriminated against in voting.

Mrs. Lewis was represented by W. H. Breazeale, an attorney from Cleveland. Two assistant state attorneys general were present in the courtroom.

Mississippi Attorney General Joe Patterson has told circuit clerks they are not required to open their records but the justice department says the 1960 civil rights act makes it mandatory that the records be revealed.

Neshoba Man Found Guilty In Voting Case

PHILADELPHIA, Miss. (UPI) — A Circuit Court jury found Neshoba County School Board member Bernard Breazeale guilty Tuesday of abetting others in unlawful voting in the Nov. 8 election.

Breazeale's sentencing was set for Friday by Circuit Judge O. H. Barnett. The school board member was convicted on the first of four indictments.

He was convicted of stealing blank poll tax receipts and giving them to residents of Beat Five who had not paid their poll taxes. Breazeale was elected to the board from Beat Five.

Voter Registration Figures Reported

The News and Observer P.17
Raleigh, N.C.
Wed. 10/18/61

BY MARGARET KERNODLE

WASHINGTON (AP) — Forsyth County leads North Carolina in registration of Negro voters with a total of 14,798, a report of the Civil Rights Commission shows.

The figure represents 16.7 per cent of the registered voters in the county, according to the report, and 59.3 per cent of the Negroes eligible to vote. White registration in the county totals nearly 85 per cent of the white population over 21 eligible to vote.

The commission said the state of North Carolina was most cooperative in furnishing data on registration by races county by county. On the other hand, the commission said, South Carolina supplied only state totals.

Because of its difficulties in obtaining state statistics on registration of voters by race, the commission has recommended that the Census Bureau compile registration figures by races in future population counts.

Mecklenburg County with 14,729 Negroes on its registration rolls has the second highest number. The figure is 13.3 per cent of the Negroes eligible for registration, the report showed. White registration totaled 96,074 or 77.6 of the eligible white voters.

Durham County had 13,201 Negroes registered or 67.8 per cent of those eligible, according to the report. The county's white registration was 46,213 or 98.1 per cent of those over 21.

Other figures from the report:

Robeson County, 11,994 Negroes registered, 25,537 whites.

Guilford County, 10,296 Negroes, 81,816 whites.

New Hanover County, 7,353 Negroes, 31,421 whites.

Wake County, 6,576 Negroes, 52,625 whites.

Sampson County, 5,726 Negroes, 23,790 whites.

Cumberland County, 5,097 Negroes, 25,173 whites.

Gaston County, 4,954 Negroes, 72,671 whites.

Alamance County. 4,801 Negroes, 47,604 whites.

Buncombe County, 4,523 Negroes, 53,036 whites.

Johnston County, 4,252 Negroes, 43,883 whites.

Beaufort County, 3,319 Negroes, 16,212 whites.

Iredell County, 3,106 Negroes, 31,180 whites.

The commission reported Graham County has 125 Negroes eligible to vote but none is registered. White registration in the county was reported as 4,025.

Hertford County was listed with a registration of only 2.9 per cent of the voting-age Negroes in 1958, but the commission said the percentage since had risen to 8.8 per cent, with 537 Negroes registered.

The commission said 60 per cent of the county's population is Negro.

In its report, the commission applied the term "Black belt" to an area extending from Tidewater Virginia down the coast of the Carolinas, westward across central Georgia and Alabama to the Mississippi Delta, then up through Mississippi and Louisiana into Tennessee and Arkansas and also touching Florida and Texas.

But the report listed these North Carolina counties with Negro populations making up more than 50 percent of the total population of voting age:

Bertie, 50.4 per cent Negro; Robeson, 54.2 per cent; Northampton, 54.4 per cent, and Warren, 55.3 per cent. It listed these counties with Negro populations of voting age nearing the 50 per cent mark: Hoke, Gates, Halifax, Edgecombe, Caswell and Greene.

The report said 78.5 per cent of the North Carolina population of voting age is white and accounts for 89.9 per cent of the total voter registration. The non-white population was given as 21.5 per cent and non-white voter registration as 10.2 per cent of the total.

The Negro Vote: Easier To Win Than To Use

The Courier-Journal

By George McMillan

In The Washington Post

P. 6 Mar. 8-7-61

ONCE AGAIN THE SOUTHERN NEGRO is being urged to take his troubles to the ballot box. This time it is Attorney General Robert F. Kennedy who is doing the urging.

Disturbed by the crisis in law and order which the Freedom Rides seemed to create, Kennedy has come to the conclusion that the best of all the alternatives open to the Negro is the franchise. He made the point to a group of Freedom Ride leaders whom he called in early in June.

Kennedy asked them to shift their target from the bus terminal to the voting booth, and apparently he felt that he persuaded them to do so.

But the trouble with all the break-throughs predicted in the past is that none of them ever broke through. What reason is there to hope that a new Negro vote drive now, even if inspired by the Attorney General, even if enforced by his legal aides and the F.B.I., will succeed where others have failed?

In some ways, there is a great deal of reason for the Negro to have hope. Of all the courses open to him, the vote is the one that promises to bring about the most profound and lasting change in his status. And his full enfranchisement is now inevitable, a fact that most Southern politicians would probably admit.

But there doesn't seem to be much chance of a "breakthrough." The vote is not a panacea. The Negro's disillusions about school integration led, at least in part, to the sit-downs. Unless the Negro is to undergo another period of disenchantment, and reaction, it is time to take a hardboiled look at his political future in the South.

Strategic Battle Is Over

There are two problems for the Southern Negro:

1. To get the vote.
2. To use it to get what he wants.

Although there is still a long tactical battle ahead before all Southern Negroes will be able to go freely to the polls, the strategic battle for the vote is over. The legal precedents are set. Many of the white South's fears about the Negro vote have disappeared as Southerners have seen the results of Negro voting.

What's more, Negroes have long been voting freely in all but a few of the geographic areas of the South. They vote in many large cities, they vote almost everywhere in the Piedmont and border states and they can vote in some areas of almost all the Deep South states.

For the Negro to use the vote effectively to get for himself what he wants out of politics and politicians is another matter. Consider in the first place how long the Negro has had the vote in certain parts of the South and how little he has done—or been able to do—with it. This suggests on the face of it that there is some difficulty that is not going to be solved by simply telling the Negro he can vote.

That difficulty is that the Negro is trying to get his rights from a system which was built to see that he did not get them. The reason why the Negro has not made fuller use of his vote is that Southern politics has seldom offered him anything to vote for—or against.

If the Negro is apathetic, it is because open appeals for his vote are unheard of, even in the Piedmont states, and the "issues" in state and local elections in the South often boil down to which candidate is going to put up the hardest fight to preserve the South's "customs"—segregation.

Time after time, voting drives staged by one Negro organization or another have revolved futilely around this circle: Negroes register, find nothing to vote for and then lose interest.

This vicious circle can be, and has been, broken. In certain municipal and certain national presidential elections, the Southern Negro has made his voting power felt. Atlanta is one of the best examples of what the Negro can do with his vote in a city.

The local administration there has been congenial to Negro progress for more than a decade. It is obvious that Atlanta police and school officials are going to do everything possible to prevent violence and preserve order when Atlanta schools are desegregated by court order on August 30.

The truth seems to be that the Negro already has more political power in the South than he realizes, or is using. The situation in South Carolina, a Deep South state, seems to illustrate the point.

For the past decade, races for governor, United States Senator and other state-wide electoral posts have usually been won by margins of about 50,000 or 60,000. That is approximately the number of Negroes who have been voting in these elections. The number of Negro voters is expected to rise until, in the governor's race to be held in the summer of 1962, "I would expect maybe 90,000 or 100,000 Negroes to vote," said a veteran South Carolina political worker. "And that," he added, "is going to be about 25 per cent of the vote."

"Now you can figure yourself," he continued, "that nobody is going to neglect one-fourth of the votes."

The moral is clear. The Negro's problem in South Carolina is not so much to get more members of his race registered as it is to find some way to use the critical margin of power he already holds.

In short, what lies ahead of the Negro in South Carolina, and many other Southern states where he is in more or less the same situation politically, is the complex job—one that historically requires skill, tireless effort and patience—of articulating political strength in the realpolitik of democratic society.

That is a far more difficult task than conducting a sit-in, a Freedom Ride or even an economic boycott, and it calls for a different kind of leadership. On that score, the situation seems to be that many Negro political leaders in the South have so often accommodated themselves to disillusioning political compromise that they are no longer respected by the younger generation of Negroes.

And the young Negroes who have tasted the fruits of direct social action are tactically-minded The focal Student Nonviolent Co-ordinating Committee, whose membership is made up of the sit-down leaders, recently voted down a proposal to concentrate on voting.

There can be no doubt that the final adjustment of race in the South must be made with the Negro as a full-fledged participant in the democratic process. But the question is whether the Negro will be content, perhaps whether he should be content at this point in history, to put aside all his other weapons for the ballot.



Negroes Vote In A South Carolina Primary

FBI Pressing Vote Probe In Clarendon County, S.C.

The Columbia Record

P. 3 Sat. 9-23-61

Constitution State News Service

SAVANNAH—The Savannah office of the Federal Bureau of Investigation is continuing its check into voter registration records in Clarendon County, S.C., a spokesman for the FBI said Friday.

FBI Agent Jack Byrd said the Savannah office is "interviewing voters in Clarendon County and talking with members of the voter registration board."

Byrd said the current probe is a fellowup of an investigation begun last June under then Atty. Gen. William P. Rogers. At that time the federal census revealed that 389 out of 9,279 voting-age Negroes were registered in the county. Portions of voting records were photographed then.

Byrd said the current check is being made at the request of Atty. Gen. Robert Kennedy.

John McFerrin Quits League Post, 'Peace' Reigns in Fayette

(Special To Courier)

NASHVILLE, Tenn. — A promise of peace came to the faction-riddled Fayette County Civic and Welfare League this week when John McFerrin, head of one of the warring groups, resigned from his post as chairman of the League's board of directors.

From now on, leadership of the group, which conducts relief procedures for victimized Negro farmers in "Tent City," will be in the hands of Scott Franklin of Moscow, Tenn., president of the organization and head of district ten in the welfare set-up.

ON RESIGNING from the league, McFerrin has set up an eight-member organization of his own, called an "original group," and scheduled to be chartered in Nashville, according to reports.

The tumultous history of the league reached its stormy zenith when McFerrin quarreled with Atty. John Estes, one of the founders of the organization.

Though it was rumored that Estes had been "fired" by the league, due to these differences, farmers in the area rallied to his defense. They continue to stand by him.

ELDER C. A. TUCKER, pastor of Tucker's Temple Church of God in Macon, Tenn., and first vice president of the league, defended him recently, saying, "Attorney Estes is our representative and legal advisor. He founded the Fayette County Welfare and Civic League and guided us through threats and violence.

"He drives 85 miles per day from Memphis to Somerville. A year ago when no one could be found to help, Attorney Estes life wasn't worth two cents. We haven't paid him for what he is entitled to, for he has made hundred trips during the past year and a half not only to Somerville, but two trips to Washington, D. C., and six trips to Nashville, to open the doors of freedoom."

Melvin Johnson of Mason Tenn., said, "We want to thank Attorney Estes for his great work — may God bless him. We're backing him up 100 per cent."

TO PREVENT interference with donations sent to "Tent City," Franklin has urged, concerned people throughout the nation to send all food, money and clothing to the Fayette County Civic and Welfare, Somerville, Tenn., in care of the president.

Hereafter, a report of all money and materials received will be published for the public. "No food will be stored to spoil, as in the past," Franklin said. "It will be given out to the people within 48 hours, unless the weather hinders our efforts," he said.

—More for Your Money in The Courier—

by Trezzvant W. Anderson
(Courier Roving Reporter)

BROWNSVILLE, Tenn.— After almost two years of "economic squeeze" directed at Negro farmers. The Courier has learned from unconfirmed reports that some whites here are now selling and delivering to Negroes.

The action here in Brownsville followed on the heels of the opening of the new Negro supermarket owned and operated by Haywood Negroes—their answer to the non-selling tactics of the whites. The new supermarket is doing a good business under the management of Odell Sanders. There are also reports that Haywood whites are seeking conferences with the Negro leaders. The source of this information is unusually reliable.

AT THE SAME TIME, The Courier learned that, while Negro leaders of the Fayette County set-up are still fussing and feuding, whites in Fayette County also want to get together with the Negro leaders.

Since all of these leaders are of the hard-headed variety, it appears there will be no resolving of the question of leadership of the Fayette Civic and Welfare League Inc. until a special election meeting which has already been called.

This reporter understands that John McFerren, chairman of the league's board, intends to woo Franklin, regular president of the league, into his camp.

THERE WERE reports that James Foreman, controversial Chicagoan, had not been seen in Fayette during the past two weeks. Mr. Foreman is regarded as the key in the friction between McFerren and Memphis Atty. F. J. Estes, long-time legal counsel for the Fayette League.

Jesse H. Turner, Memphis banker and NAACP chieftain, said NAACP field secretary L. C. Bates of Little Rock, Ark., is trying hard to get the dissident leaders to forget their differences and work together again.

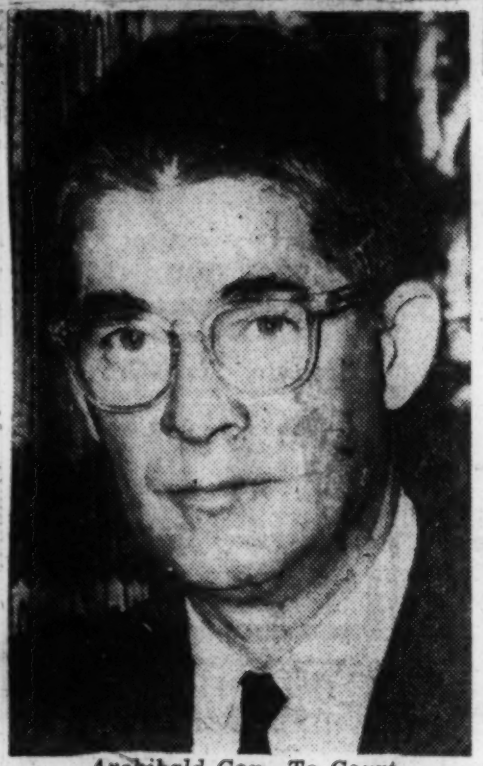
Mr. Turner cited an embarrassment arising out of the situation when a truckload of food and supplies from another Tennessee NAACP branch was taken into Fayette.

Federal Voter Back-Up

Filing of a brief by Archibald Cox, solicitor-general of the U. S., before the Supreme Court, asking it to hear arguments about failure of the state of Tennessee to reapportion itself in 50 years, was expected.

The issue before the court is not now whether to order Tennessee to reapportion itself—not yet at least. The issue is whether the high bench will undertake to review the Justice Department's contention, and that of a group of Tennessee citizens, that Tennesseans generally are deprived of their rights under the 14th Amendment.

If the high court elects to review the issue, then arguments later will be made. No early verdict in the ultimate issue, whether to hand down some federal order from Washington to reapportion, may be expected. The matter is highly complex. It could involve fresh legal ground.



Archibald Cox—To Court

The 14th Amendment states in part that "no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. . . ." The high court is being asked to take up the matter of whether the Tennessee legislature, by failing for half a century to reapportion, has deprived Tennessee citizens of their privilege of fair representation at the state capital in Nashville. Also involved: Whether there is denial of "equal protection of the laws," barred by the 14th.

Potential implications and consequences are immense. Obviously if the court ultimately did review and hand down an order to Tennessee's legislature to reapportion, what enforcement could it make of such order? Contempt citation against a whole legislature, or legislators as individuals? Suppose a legislature still refused to reapportion?

The situation of Alabama is immediately at issue because of the possibilities in this Justice Department brief. This state hasn't reapportioned itself in 50 years either. Numbers of other states have equally poor or nearly as poor records in failing through their legislatures to follow the language of their own state codes.

The Alabama Constitution of 1901 states explicitly that "It shall be the duty of the legislature at its first session after the taking of the decennial census of the United States in the year 1910, and after each subsequent decennial census, to fix by the law the number of representatives and apportion them among the several counties of the state, according to the number of inhabitants in them, respectively; provided, that each county shall be entitled to at least one representative."

The following section covers a mandatory districting for senators, said districts to be "as nearly equal to each other in the number of inhabitants as may be. . . ."

This federal action was inevitable. It comes at a time when there is great focus on the right of qualified persons to vote, and a growing political pressure on the federal level that each citizen shall, if qualified to vote, have his political influence fairly balanced as against that of other citizens.

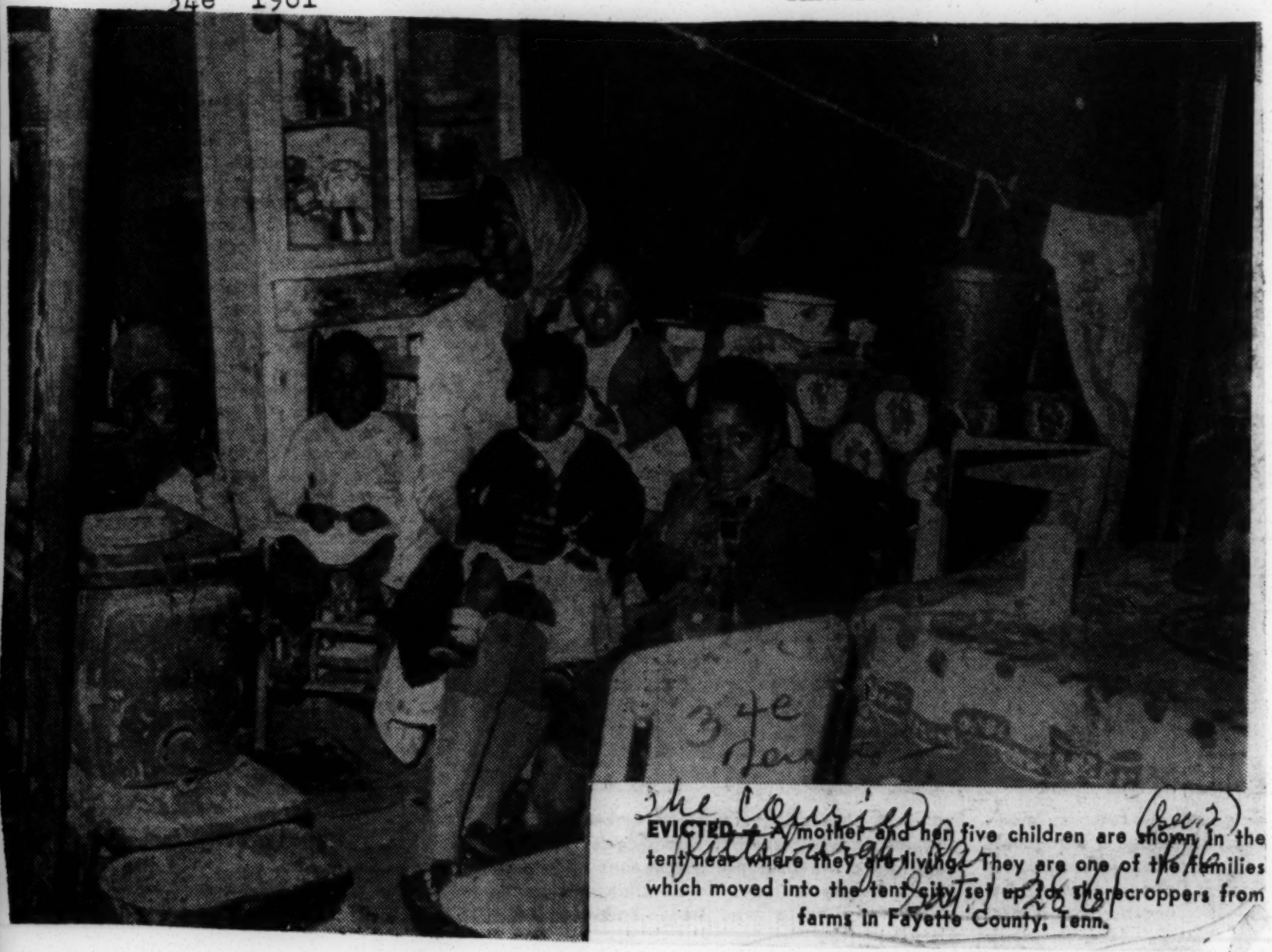
States manifestly have been derelict. Reaching of the federal arm into state houses would be drastic and highly unfortunate. But no one can reasonably contend that the handwriting was not on the wall.

Legal aspects are intriguing. A further question still might be raised: If the court should direct reapportionment, and could enforce it, would the court then become a decennial judge of whether this reapportionment or that was fair? How would it develop a yardstick? Even if Tennessee and Alabama both reapportioned, might one reapportionment be "fairer" than another?

Regardless of grounds on which plaintiffs may stand, if this case is reviewed by the high court, and a reapportionment order is given, the federal government will have moved still further into a position of power over states.

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TENNESSEE



EVICTED — A mother and her five children are shown in the tent near where they are living. They are one of the families which moved into the tent city set up for sharecroppers from farms in Fayette County, Tenn.



JOYOUS GIVING—Jesse Jones, a tenant farmer from Fayette County's "tent city," smiles heartily as members of Chicago's Sixth Ward Democratic Organization present him with a check of $524.00 for the destitute in the Tennessee area. He accepts the check from Betty Easton and Sterling Stuckey of the Emergency Relief Committee.

Victims say 'nobody asked us'

WASHINGTON

Secretary of Agriculture, Orville L. Freeman last week told a Congressman that department officials had investigated the conditions in the "so called Tent City" and had reported that no food was needed.

"— Our people were informed that while certain discomforts were being experienced by the occupants, the need for food was not one of them," Freeman said in a letter to Congressman Charles S. Joelson.

The letter was in answer to Joelson's charges that the indigent sharecroppers who had been evicted reportedly because they voted in the Nov. 8 elections were being ignored by the Department of Agriculture in the implementation of its surplus food program.

Secretary Freeman said department representatives conferred with "church, business, government and other leaders of both races in the community, all of whom indicated that hardship cases in the communities were being well taken care of through regular welfare programs and by church and other groups."

The chairman of the Fayette County Civic and Welfare League reported, however, that no agriculture department officials had approached him.

"I have no knowledge of any such investigation being made. And I don't see how any thorough investigation could have been conducted unless they talked to the people living in 'Tent City,' or talked with some members of our group," said John McFerren.

At the time the AFRO called McFerren he reported that the group had run out of food for the people and had been out since Saturday.

"Not a can of food in the place for some 154 people," McFerren said Tuesday.

He said the League's dwindling funds were being used to purchase food in "Memphis or Nashville."

The local merchants won't sell to him, and some of the Memphis merchants had been persuaded to go along in the economic boycott, McFerren said.

Mr. Freeman said that the Department of Agriculture took an active interest in the situation in Tennessee at the outset.

Governor Buford Ellington had been contacted and advised "of the availability of surplus foods in the event his office found it necessary to aid any needy people in the two counties," (Fayette and Haywood) the letter read.

"Personal contacts were also made with individuals living in the so-called Tent City, the letter read.

In addition, the letter said "specific visits were made to the judges in the two counties who would be responsible for a food donation program if one were put into effect. Each indicated that if such a need arose he would proceed immediately.

"On the other hand, both judges agreed that under existing conditions such action was not warranted.

"We want to assure you that this department will be responsive to any request for donated foods in these communities in Tennessee or any other State. Governor Ellington has also indicated to us that prompt action will be taken on the part of his administration in this respect," the letter concluded.

John McFerren suppressed a laugh at the reading of the last line of the letter and indicated that the people of Tent City would starve before the Governor saw fit to declare that the conditions constituted an emergency.

"The local people here are definitely not going to allow surplus food to be sent in. They know that if we were not tied down with the necessity of expending all our time and money just to survive we would be buying land and establishing these people on farms of their own," he stated.

Latest reports are that the feud between McFerren and Fayette County Welfare and Civic League has resulted in the breadkup of the organization.

McFerren heads what he calls the "Original" Fayette County Civic and Welfare League, while attorney J. F. Estes and Scott Franklin head another organization by the same name.

McFerren said the split culminated in the two separate organizations when Estes "surrendered the League's charter to the state, and formed another organization under the League's name."

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$100,000 set for vote drive

The Afro-American

By DAN DAY

NASHVILLE (NNPA) — Declaring there is "nothing more powerful in all the world than an idea whose time has come." the Rev. Dr. Martin Luther King Jr., urged delegates to the annual meeting of the Southern Christian Leadership Conference last w[illegible] to "push forward in the fight to make the idea[illegible]m and human dignity—a living thing."

The SCLC president told some 200 persons in Clark Memorial Methodist Church that "segregation is still America's burden and America's shame." He called the "Freedom Movement" one of the most significant epics of our time and said its ideal "must be nourishedd and fostered."

LATER, AT A PRESS conference, the advocate of nonviolence in the fight to attain full civil rights said the SCLC is mapping plans to intensify its struggle to destroy the barriers of segregation in the South.

He mentioned Alabama, Mississippi, and South Carolina as the states requiring greater attention by his organization.

The leader of the 1955-56 bus boycott at Montgomery, Ala. asserted that the most signiticant step that his people can take is in the "direction of the voting booths." He added that SCLC is allocating $100,000to assist this effort in the quest for votes.

A financial report distributed at the conference indicated that SCLC's budget for the 1960-61 fiscal year amounted to $193,528.

* * *

AT THE FORMAL opening of the annual conference, Dr. King received a stirring round of applause when he exhorted his supporters to "get used to going to jail and being mauled and beaten when you are fighting for your freedom."

He said his "non-violent army" must become accustomed to sacrifice. He urged them to "disregard an unjust law and suffer the consequences—when your conscience so dictates."

THE KEYNOTE address of the conference, which ended Friday, was delivered by the Rev. James M. Lawson, of Shelbyville, Tenn. who held his audience spellbound with a brilliant summary of the merits of nonviolence in social revolution.

He urged a house-to-house campaign to "bring out the votes" calling for 10,000 students to become part of a "mass nonviolent" action committee to assist the project.

James Farmer, of New York, national director of CORE, told the gathering that there could be "no freedom without casualties." He referred to his own 40-day stay in a Jackson, Miss. jail as "of no consequence." He told his listeners that "part of your job is to create tensions and then to resolve them."

Delegates, visitors and invited guests from 14 states and the District of Columbia were on hand for the three-day conference.

'Shadowy' Pair Fires on Negro Tents

Tennessee Trouble Spurs Gun Response By Tenants of 'City'

SOMERVILLE, Tenn. Dec. 31 (UPI)—Two "shadowy figures" in a speeding car opened fire early today on Negro sharecroppers huddled in Somerville's Tent City and the attack was answered by shotgun blasts. No one was injured.

The shooting incident was the second in the last three nights. Early Williams Jr., 25, one of the residents of Tent City, was wounded in the arm Thursday morning when unidentified assailants fired into the canvas dwellings.

Between 50 and 75 Negroes have taken refuge in the Tent City, which residents call "Freedom Village." They contend they have been drivei off their land because they registered to vote in the November election. White landowners claim the sharecroppers were let go because of a lessening demand for hand labor.

The Government contends that white landowners plan to begin evicting about 700 Negro tenant farmers in Haywood and Fayette counties, starting New Year's day. Yesterday court orders were handed down in Cincinnati, Ohio, and Memphis temporarily blocking such action.

Sheriff Clarence E. Pattat of Fayette County said he has asked the FBI and the Tennessee Bureau of Investigation to help with the investigation of the latest shooting. He criticized Negroes for not reporting it immediately.

James Forman of Chicago, spokesman for the Negro group, said he was in Memphis, 40 miles away, taking part in a motion picture to publicize Tent City when the latest shooting occurred.

He confirmed that the Negroes fired back but said he did not "want to make a statement" when questioned about the type of guns with which the sharecroppers were armed. Pappat said most of them "have hunting guns."

A total of 13 tents comprise Tent City. The tents are located along a black-top road on the 20-acre farm of Shepherd Towles, 52-year-old Negro farmer.

Whites have described Tent City here as "strictly a publicity stunt." One man who declined use of his name said "everyone in those tents have been offered places to go, farm representatives have even offered to move the sharecroppers to new working places."

PRANKSTERS FIRE BLANK SHOTS AT NEGRO TENT CITY

SOMERVILLE, Tenn. (UPI) —Three white youths using a trick gun fired four blank cartridges at the "tent city" for displaced Negroes near here early Saturday, authorities revealed Monday night.

Dist. Atty. Gen. Will Terry Abernathy said the boys were given a "severe lecture" and released. Officers said the boys used a "noise" gun and there was no way it could have been loaded to fire real bullets.

The Negroes fired back at the boys with shotguns, but no one was injured.

Voting Rights in Question

Courts Rule Against Eviction of Negroes

MEMPHIS — (AP) — In separate decisions, federal courts here and in Cincinnati have ruled that landowners in two West Tennessee counties could not use voting rights as a reason to discharge Negro sharecroppers.

The Justice Department contended that the threatened evictions of 700 Negroes in Fayette and Haywood counties were the result of Negro voter registration drives. The landlords denied it, claiming they no longer need the sharecroppers because their farms are mechanized.

The rulings mean the landlords will have to show that voting rights have nothing to do with their discharging farm employes. The evictions were timed for Jan. 1.

The first decision was handed down by the U.S. Court of Appeals, Sixth Circuit, in Cincinnati. The three-judge court granted a Justice Department plea for a temporary injunction against 37 Haywood County landowners.

Based on that decision, District Judge Marion S. Boyd late Friday signed a temporary restraining order in Memphis to prevent Fayette County landowners from:

"Intimidating, threatening, coercing . . . their Negro sharecropper tenants for the purpose of interferring with the right of such persons to vote."

Boyd's action was a reversal of his previous stand. On Dec. 22 he refused to enjoin the Haywood County landowners and then postponed a hearing on the Fayette case, which is almost identical.

New Group Aids Fayette Victims

After attending a convention in Cincinnati last week end where the problem of Negro families being evicted from their homes in Fayette and Haywood counties was discussed, a group of Chicagoans formed the Southern Relief Committee, at 2750 W. Chicago avenue.

This group has its aim a two-fold plan. First, the immediate collection of food as a temporary emergency measure, as by mid-January it is expected that seven hundred 700 families will have been evicted from their homes.

The families that have been evicted to date are living in floorless tents, donated by the Rev. Martin Luther King's movement, and are without homes, without food, without money, but with, we pray, friends.

The Chicago group, attempting to assist them, are asking for canned food, only food, no money. These people are starving, starving because they chose to register to vote, they are starving, their children are starving.

2ND OF PLAN

The second part of the plan is to later raise enough money to buy one farm land to start a community, with the understanding that a certain part of the money they make from operating the farm will be put into a fund to buy more land for other families.

When this part of the program gets under way, there will also be a need for lumber, furniture, clothes and any other type of new or used household supplies that are necessary.

But, the immediate need is for food. If you can donate any canned food, please call the Southern Relief Committee at EV. 4-6422, and they will arrange to pick it up.

All the people taking part in this group are volunteers, and there will be NO "administrative expenses" that always seem to be connected with these groups. All food, and or monies collected will be used [illegible] the families.

NEGRO IS ARRESTED SEEKING VOTE DATA

BROWNSVILLE, Tenn., Jan. 26 (UPI)—A Negro field representative of the National Association for the Advancement of Colored People was arrested in a registrar's office today while trying to gather information on Negro voting in Haywood County.

Sheriff S. T. Hunter said that Phillip Savage, the Negro, had upset registration procedure with "unruly" behavior and questions.

Mr. Savage, who listed his home as Boston and then New York, told officials he wanted to register, but "knew all the time he couldn't register," the sheriff said. He added that a long line, consisting mostly of negroes, had been waiting to register.

He said Mr. Savage was being held for investigation, and "will probably be charged with several things."

Jesse Turner, head of the association's Memphis office, said Mr. Savage had been "checking on the extent to which Negroes were being punished for voting" when he was arrested.

Haywood is involved in a civil rights suit charging that whites applied economic pressure to prevent Negroes from registering.

The United States Circuit Court of Appeals in Cincinnati is scheduled to begin hearings Feb. 20 on charges that Negro sharecroppers were being evicted from their homes because they had registered.

Assembly To Get Right To Vote Bill

Taliaferro Favors District Of Columbia Plan

Senator Lewis Taliaferro said last night he will move to have Tennessee ratify a pending amendment to the Federal Constitution to give citizens of the District of Columbia the right to vote in presidential elections.

The two million citizens of the district have never voted.

The pending amendment has been ratified by four states. The New York Assembly Monday ratified by a unanimous vote of both houses. Montana and Minnesota are expected to ratify this week. Thirty-eight states must ratify for the amendment to become effective.

"The franchise should be denied no American citizen," Senator Taliaferro said. "I shall interest as many other Tennessee legislators as possible in approving this amendment."

Senator Taliaferro says he is also preparing for introduction a subversive activities bill that would outlaw the Communist Party in Tennessee.

He was moved to prepare this bill, he says, after seeing in the legislative assembly two weeks ago the film, "Communism on the Map," which was shown by representatives of Memphis Post No. 1 of the American Legion.

U. S. Judge Extends Order Halting Negro Eviction

The Montgomery Advertiser 1-6-61

MEMPHIS (AP) — U.S. District Judge Marion S. Boyd Thursday extended to Jan. 16 a temporary restraining order to halt threatened evictions of Negro sharecroppers from Fayette County farms.

The complicated case obviously nettled Boyd, who sought aid from the Sixth Circuit Court of Appeals in setting a precedent for further action.

"None of us knows or fully appreciates all that is involved," the judge said.

Despite a maze of legal maneuvering, no trial date has been set. All action so far has been on pre-trial motions. The government charges the sharecroppers were ordered evicted because they registered to vote.

Defense attorney John Porter told Boyd he needed clarification of court orders so his clients would know what actions of theirs would be considered in contempt of court.

Boyd then suggested attorneys for Haywood County residents, involved in a similar suit, press the Appeals Court for an early ruling on the government's plea for a temporary injunction.

The plea had been set for a hearing in Cincinnati about Feb. 20 but Boyd said he hoped for a ruling next week.

Based on that decision, Boyd indicated, he could act more definitely in the Fayette case, which also involves a plea for a preliminary injunction.

In the Fayette case, 81 residents and a bank are accused of conspiring to deny Negroes their voting rights and with enforcing economic reprisals against those who registered.

Seventy - four residents and three banks are involved in the Haywood case.

The pre-trial injunctions are sought to keep 400 Fayette and 300 Haywood Negroes from being evicted pending outcome of the trials.

Boyd called the unsettled situation "intolerable," and said some action must be taken.

Then he announced individual hearings would begin Jan. 16 on arguments by landowners who seek to evict Negro hands they say are not needed in an age of mechanization. He said the job "would be an interminable one."

Attorneys for landowners and sharecroppers agreed that court action so far permits eviction proceedings if landowners can prove in federal court that voting rights are not the cause.

Earlier in the day, Boyd dismissed attempts by defense attorneys to have the sharecroppers post bonds pending outcome of the case. The defense argued the bonds would protect landowners from property and crop damage.

Judge Extends Order Barring Negro Evictions

The Herald-Tribune New York, N.Y. 1-6-61

MEMPHIS, Jan. 5 (UPI).— Federal Judge Marion Boyd today extended until Jan. 16 a temporary restraining order to stop the threatened eviction of 400 Negro sharecroppers in Fayette County, Tenn.

The Negroes, some of who have moved into "tent cities" established in the county, say they face eviction because they registered to vote in the Nov. 8 election.

This has been denied by white landowners. They contend the Negroes are being asked to move because of a lessening demand for hand labor.

Judge Boyd said that at the Jan. 16 hearing he would hear any white landlord who wanted to evict any Negro sharecroppers for "legitimate cause." White landlords in Haywood, as well as Fayette County, will be given a chance to testify.

$1,000 Deposited For Negroes' Aid

Baptist Group's First Step In Program To Help Keep Them On Farms

Memphis Press-Scimitar 1-27-61

The National Baptist Convention, U.S.A., Inc., yesterday deposited $1,000 in the Tri-State Bank of Memphis as the first step in its program to help Negroes remain on the farms.

Dr. J. H. Jackson of Chicago, president of the Negro religious group, who came here for ceremony of opening the checking account, said, "The bank will serve as a depository or clearing house for the farm aid program in general and to Fayette and Haywood counties (Tenn.) in particular."

"It is our belief that this type of approach guarantees a more business - like approach and guarantees a more accurate accounting of all funds received and distributed."

Explains Setup

Designed to help "those of our people who are desirous of living on farms in every way we can with their economic problems," the new program calls for lending Negro farmers money for buying equipment.

Dr. Jackson explained his organization "will purchase land and give to people the opportunity to live on that land or purchase it from us in smaller quantities at cost."

"It is our hope," he added, "that we will also organize units of co-operative enterprises in our towns and cities and thus aid in creating a market for the produce of these small farmers so that they will tend to become independent and self-supporting."

The religious group last week loaned $800 to Rev. June Dowdy so he would not lose the equipment on his farm near Somerville, Tenn.

Dr. Jackson emphasized the need for the organized church to make positive efforts toward finding "practical solutions to the problems that confront us."

"Wherever there are problems in American life, communism frequently takes advantages of the conditions as a source of propaganda against the nation and the people."

Problems Linked

The Chicago visitor linked the problems of big city slums with the new farm aid program. "One of the best steps toward clearing city slums is to encourage those who love the farms to live on the farms.

"Many people have left the farm to try living in big cities because they find economic life in rural areas too insecure and uncertain. The relief programs of cities can not redeem the serious economic failures in rural areas of America."

Rev. L. G. Carr of Philadelphia, Pa., National Baptist Convention treasurer, accompanied Dr. Jackson to Memphis. Chairman of the local committee is Rev. A. E. Campbell of Columbus Baptist Church, a vice president of the national group and president of the Regular Tennessee Missionary and Educational Baptist Convention."

Eviction of voters blocked

The Cleveland Press-Commercial Baltimore, Md. Sun 1-15-61

CINCINNATI, Ohio — Haywood County, Tenn. land-owners must halt evictions of colored voters or face federal contempt of court charges.

This order was handed down by the Sixth Circuit U.S. Court of Appeals sitting in Cincinnati. The three judges, Lester L. Cecil, Paul C. Weick and Clifford O'Sullivan, directed Judge Marion S. Boyd of the federal district court in Memphis, to grant a preliminary injunction on behalf of the colored sharecroppers.

The case was first placed in judge Boyd's hands by the Civil Rights Division of the U.S. Department of Justice. Judge Boyd refused to even hold a hearing on the matter. He said he could not interfere in private contracts.

The Appeals Court, however, held that there was sufficient evidence of threat, intimidation and coercion, to require the issuance of a restraining order.

In applying for the order, the Civil Rights Division said that colored tenant farmers were being evicted because they had registered and voted last year.

Affected by the order are 67 landowners and over 500 sharecroppers. A similar situation exists in neighboring Fayette County.

* * *

THE INJUNCTION backs up a temporary restraining order issued last December to halt the evictions. The Justice Department, in this case, also had to apply to the Appeals Court after being turned down by Judge Boyd.

Following the December action of the Appeals Court, however, Judge Boyd did issue a temporary restraining order for the Fayette County case without orders from his superior court.

The injunction will keep the sharecroppers in their homes until a full-scale court hearing can be heard on the basic merits of the case: whether or not the white landowners have a right to discourage colored persons from voting by the tactic of separating them from their homes and livelihood.

Judge Boyd will also hear this case.

The landowners claim that the evictions were caused by a reduction in cotton acreage and increased mechanization.

However, a massive economic boycott accompanied the start of the evictions. At that time, colored farmers, tenant or otherwise, could not purchase food or gas and oil to heat their homes and run their farms.

Persons evicted before the Justice Department entered the case, would have had no place to go were it not for the establishment of "Freedom Village" (or "Tent City") on the property of a colored landowner.

They are still being clothed and fed by donations from concerned groups all over the world.

* * *

THE JUSTICE Department also moved recently to require 15 landlords to assist their colored sharecroppers in farming the land they are on. Under the previous restraining order, the landlords can not evict these tenants.

However, according to Robert Kennedy, Attorney General, "These 23 sharecroppers and their families are living in houses but are not being allowed to farm the land which they have rented in the past.

"If they can't farm, they will have to move on and therefore will forfeit their rights before the court has made a determination in this matter."

He asked that the landlords be required to assist tenants in planning the farm program, advance funds for living expenses and otherwise conduct themselves as they did in former years.

Internal Feud Rocks Civil Rights Hot Spot

MEMPHIS —(AP)— A fiery internal dispute has jarred the Negro organization that made nearby Fayette County a civil rights hotspot.

The quarrel burst into the open with Scott Franklin, president of the Fayette County Civic and Welfare League, demanding that John McFerren resign as league chairman.

Thus the stage was set for a possible struggle for power, with a bespectacled, fast-talking Chicago Negro school teacher — James Forman — the object of dispute.

At a press conference in his office here, J. F. Estes, a Negro lawyer, said Forman now dominates McFerren and is trying to take over the league. Franklin sat by nodding assent.

Estes said Franklin and other league officers were denied access to accounts and had no idea of the amount of money or supplies donated to the league.

In Somerville, McFerren said only the board of directors could demand resignations. He added that Estes was fired as the league's legal counsel at a board meeting three weeks ago.

Forman accused Estes of launching an "inside effort to destroy the drive of Negroes to vote in Fayette County."

"This rump organization that Estes is trying to form," Forman said, "is his reaction to his dismissal by the league. He was fired for mishandling of league transactions."

Forman added: "This is just a tactic that he is using to split the organization because he has suffered a personal loss. It certainly plays into the hands of the White Citizens Council."

The 32-year-old Chicago teacher first appeared on the Somerville scene during the Christmas vacations, when McFerren was laboring to set up "Tent City." He brought food and supplies gathered by the "emergency relief organization" for Fayette County Negroes.

"Tent City" was envisioned as a shelter for 300 Negro families that the league said faced eviction from their sharecropper homes because they registered to vote.

However, Federal Court orders barring immediate evictions took the pressure off. And "Tent City" remains a straggling line of 13 family sized tents on one Negro farm near Somerville, with five at another.

Estes said the internal fight came to a head recently when Forman was ordered out of a league meeting in Somerville, which is the seat of Fayette County.



FREEDOM FARM DEDICATION.—Amidst joyful singing, the 1500 occupants of the now nationally known "Tent City" of Somerville, Tenn., marched seven miles to the new "Freedom Farm" set up by the National Baptist Convention, U. S. A., Inc., Monday, March 27.

On Wednesday, March 22, the farm was dedicated as 300 Fayette Countians plus a few interested out-of-staters braved 30 degree chilly weather to hear Dr. J. H. Jackson, president of the Convention, give the dedication address and open the farm gates.

Among those taking an active part in the dedication program were, left to right, Noah McFerren, Fayette county farmer, one of the managers of the farm; Dr. J. H. Jackson of Chicago, Ill., president of the National Baptist Convention, U. S. A., Inc.; Rev. A. E. Campbell of Memphis, Tenn., vice-president of the convention; Earl L. Anderson, Fayette County farmer and one of the managers; and Rev. Roy Love, Memphis, national Baptist board member. Another manager, O. D. Macklin, Fayette County farmer, is not pictured.

Al Rawls, prominent businessman of Brownsville, Tenn., is general overseer of the Freedom Farm.

'Tent City' Occupants Move To 'Freedom Farm'

SOMERVILLE, Tenn. — Amidst joyful singing, the 1,500 occupants of now nationally known "Tent City" of this West Tennessee town marched seven miles Monday, March 27, to the new "Freedom Farm" set up by the powerful National Baptist Convention, Inc. J. H. Jackson, president of the

Once implanted there, these Negroes, who were allegedly put off their tenant farms owned by whites because of registration activity, will be expected to work the farm land for their livelihood.

The farm, given added incentive by a congratulatory telegram from Gov. Nelson A. Rockefeller, is only one step in the gigantic "self-help" movement proposed by Dr. powerful five million member group. Eventually, according to the long range plans of the organization, farms such as the Freedom Farm will be spread throughout the United States.

Farm Dedication

Wednesday, March 22, the farm was dedicated as 300 Fayette Countians plus a few interested out-of-staters braved 30 degree chilly weather to hear Dr. Jackson open the farm gates.

Many of the throng saw the stately 404 acre site for the first time and were overjoyed to witness an expanse of land suitably fitted for a resort area. The farm, dotted by two picturesque lakes, cost $60,600, $15,450 of which has already been paid. The rest of the monies for the land are expected through gifts and subscriptions of the churches of the Convention.

Although the dedication services went off without a hitch with proud speaking and singing, acquiring the farm was another matter. For a time, during the purchasing procedures for the land, ominous events took place that almost declared the perfect site "off limits."

Lawsuit

After agreeing to sell the land, owner Dr. L. M. Fuller, University of Tennessee faculty member, found himself the defendant in a lawsuit filed by the prior tenant, Jerry A. Williams.

On March 17, Williams, a white farmer, testified in Somerville General Sessions Court with Judge Summers on the bench, that Dr. Fuller couldn't release the land because he, Williams, had incurred $2,500 in losses which must first be redeemed.

Cross testimony was heard for five hours before Judge Summers ruled that the land could not be occupied for two years. Dr. Jackson's heart sunk, he said. He had planned for immediate occupancy, and had, by a prior agreement with Fuller, planted a man on the property, when the original transactions had been discussed.

Reaches Agreement

Dr. Jackson immediately approached Williams and worked out an agreement whereby he and Dr. Fuller would pay for his losses and in a twenty minute hearing in Judge Summers' chambers, the restriction was dropped. The Convention was three-fourths the way to owning the farm.

For the dedication, the audience was treated to some of America's most famed orators and singers. Dr. Jackson handled the main address, telling the crowd that "The Church must be identified with the people in their struggles and aspirations; their needs, their defeats and their hopes."

Stirring the onlookers in song were Rev. Cleophus Robinson, noted gospel singer of St. Louis, Mo. and Rev. W. Herbert Brewster of Memphis, nationally known hymn

writer, leading the famed National Baptist Convention choir.

Others taking an active part in the dedication program were Rev. A. E. Campbell of Memphis, vice-president of the Convention; Rev. J. W. Williams, also of Memphis; Dr. L. G. Carr, national treasurer of Philadelphia, Pa.; Rev. C. W. Wade, board member of Omaha, Neb.; Rev. L. A. Hamblin, board member of Memphis; Rev. Roy Love, board member, Memphis and Rev. Louis Boddie of Chicago, Ill.

General overseer of the Freedom Farm is Al Pawls, prominent businessman of Brownsville, Tenn., adjoining West Tennessee town. Managers are O. D. Macklin, Noah McFerren and Earl Anderson, all well-known farmers of Fayette County.

Justices Hear Districting Suit

Supreme Court Arguments Will Be Continued —Questions Asked

By MORRIS CUNNINGHAM
From The Commercial Appeal Washington Bureau

WASHINGTON, April 19. — Supreme Court justices showed keen interest Wednesday in a suit seeking reapportionment of the Tennessee Legislature but gave no hint of their ultimate decision.

Attorneys were peppered with questions from the bench during an hour and 45 minutes of oral arguments.

Justice Felix Frankfurter several times cited a Supreme Court decision holding the Federal courts have no right to intervene in the apportionment of seats in the United States House of Representatives.

Voters' Rights

He wanted to know how the Federal courts could require equitable distribution of seats in a state legislature and at the same time keep hands off of the lower House of Congress.

He said it seemed to him that it was being argued that state voters have greater rights than Federal voters.

"Can Congress establish second-class voters?" he asked.

The case is before the Supreme Court on appeal from a three-judge Federal court in Nashville which held that, though the Tennessee Legislature has not reshuffled its seats in 60 years, the Federal courts have no power to intervene.

Charles S. Rhyne of Washington, a former president of the American Bar Association, argued for the appellants who include a group of Tennessee taxpayers and the cities of Nashville, Knoxville and Chattanooga. Mississippi has entered a petition in the case.

He said population shifts and increases within Tennessee since 1901 have produced "grotesque results."

He said 23 rural counties now have 25 representatives, but would be reduced to only two if the Legislature were fairly apportioned.

"Thirty-three per cent of the people elect and control 20 of the 33 senators, and 40 per cent of the people elect and control 63 of the 99 representatives," he said.

Mr. Rhyne and United States Solicitor Gen. Archibald Cox, who supported the appellants, based their arguments on the equal protection clause of the Fourteenth Amendment, the Civil Rights Acts of 1957 and 1960, and the reconstruction era anti-Ku Klux Klan Act.

Defendants' Argument

James M. Glaosgow, an assistant Tennessee attorney general, had barely started speaking for the defendants when the court recessed for the day. He will complete his argument and the hearing will conclude Thursday.

Mr. Glasgow said the suit "fails to join the indispensable parties" in the case because it has not brought the members of the Tennessee Legislature into court. The state legislators are responsible for the failure to reapportion, he said.

Baptists to Build Homes in Fayette County

Sharecroppers Win Land Fight

SOMERVILLE, Tenn.—Efforts to foul up the purchase and building of homes for Negro sharecroppers in Fayette and Haywood Counties by the National Baptist Convention, Dr. Joseph H. Jackson, president, met with failure in court here when a judge held that a sale agreement between a white land owner and the NBC was legal and binding, even though it was verbal in nature.

To insure continuity of the purchase and home building project Dr. Jackson posted $2,500 with the court to assure the bargain.

The white landowner, a Dr. Fuller, did likewise, and thus the Jackson project will go on without interruption.

■

DR. JACKSON had rushed here hastily from Philadelphia when informed that the White Citizens Council was "putting pressure" on the landowner to renege on the agreement, after it was learned that it was the Negro Baptist group that had bought the 400 acres involved. The other tract of some 200 acres was not involved in this affair.

Meanwhile, Dr. Jackson of the Scott Franklin-Estes Fayette Civic League, owner of 150 acres, had agreed to build several new homes for displaced Negroes on his land.

The NBC already has four houses on the 400-acre plot, Dr. Jackson said, and is ready to build two more new homes.

■

THE LAND lies in Fayette with tips in Tipton and Haywood Counties. On the property now is E. L. Anderson with his wife and five children. They would have been evicted had the pressure on Dr. Fuller been successful.

Dr. Jackson said the 400-acre tract will be dedicated on Wednesday of this week with appropriate ceremonies.

The Baptist purchase project is being administered by three trustees from Memphis. They are Revs. A. E. Campbell, Roy Love and R. H. Brewster.

Dr. Jackson will be hand for the dedication on Wednesday as will the Courier.

No Break in Fuss Between Fayette Co. Negro Leaders

By TREZZVANT W. ANDERSON

SOMERVILLE, Tenn.—There has been no break in the impasse which has had Negro leaders of Fayette County feuding and fussing during the past few weeks.

The situation is still the same, and rejected it entirely.

There are two factions, each representing themselves as "the Fayette County Civic and Welfare League Inc."

One is headed by John McFerren, the other by Scott Franklin. The McFerren group is receiving food, clothing and supplies from outside, so is the Franklin group.

■

MEMPHIS NAACP leader Jessie Turner told the Courier Friday that his organization is sending in supplies to the Franklin group which includes Atty. J. R. Estes of Memphis.

Meanwhile, it was learned that the coordinating committee of organizations, including some 12 groups, had been working on a project to get one man from each faction to serve on a committee to handle distribution of food and clothing and monies.

This was being arranged by L. C. Bates of Little Rock, Ark., field secretary of the NAACP. However, the Courier was told that John McFerren later refused to go along with the program

According to Mr. Turner, executive vice president of the Tri-State Bank where National Baptist Convention deposits are on deposit, and other funds are being frozen, the freeze is still on, but the National Baptist convention still has money on deposit to buy land in the two counties.

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TENNESSEE

Told: Oust Negro Tenants

Chicago Defender
Chicago, Ill.
Dec 31-Jan 6 61

MEMPHIS, Tenn. — (UPI) — A white government witness testified that a group of whites was urged to fire their Negro sharecroppers and "replace them with white tenants or white-faced cattle."

Mrs. Sara Lemmons, Stanton, Tenn., clothing store operator, said the request was made by John "Preacher" Shelton at a meeting called "to discuss what should be done with Negroes who had registered to vote."

Mrs. Lemmons quoted Shelton as telling the meeting in the Stanton High School cafeteria that 75 per cent of the residents in Haywood County were Negroes "and if they are allowed to register and vote they can put in office whoever they want to."

300 FACE EVICTION

The government seeks a temporary injunction to stop 74 Haywood County defendants from evicting more than 300 Negro tenants from their land.

Civil Rights attorneys charged that the Negroes face eviction because they registered to vote or belonged to the Haywood County Civic and Welfare League, a Negro organization which has pushed voter registration.

Mrs. Katherine R. Davis, 78 year old landowner, testified one of the defendants. Shelby Dixon, wanted her to dismiss one of her servants because the servant was a charter member of the league.

Mrs. Davis said she refused and Dixon told her "I'll have to put you on the non-cooperative list."

Court Injunction Hailed As 'Victory For Justice'

The Call
Kansas City, Mo.

SOMERVILLE, Tenn. (UPI) —A court injunction barring eviction of Negro sharecroppers for seeking to vote was hailed jubilantly here by a leader who said it is "a victory for . . . Americans concerned for civil justice."

The U.S. court of appeals in Cincinnati issued the injunction Friday and promised to hear in February on their merits any individual cases of eviction if any of the sharecrop tenants wanted to pursue the matter.

The court decision was made after a hearing on an appeal from a U.S. district court in Memphis, which ruled against the federal government's contention the mass evictions of sharecroppers in this area were a result of their having tried to register to vote.

Many evictions of Negro tenants were scheduled for Jan. 1. Already a tent city has been established to take care of evicted tenants who have no place else to go.

James Forman of Chicago, spokesman for an Emergency Relief committee for Fayette and Haywood counties, said the court of appeals ruling "is a victory for .... Americans concerned for civil justice.... (and) a defeat for the White Citizens Councils."

Forman said that the ruling "relieves the situation momentarily." Forman is here on a "fact-finding tour."

He said the share croppers already in 14 tents on a Negro farm near here will not return to the white farms they left. Forman said six more tents "are going up today."

The tent dwellers faced eviction Jan. 1, but in order to be "assured" tents, they left white farms before the eviction deadline.

"They have no plans to return to their white farms," Forman said.

Some 14 families have been living in the tents for about a week. The tents are warm. Food is furnished the occupants.

Fayette County Sheriff C. E. Pattat Jr. has called in the FBI and the Tennessee Bureau of Investigation to look into the mysterious shooting of a Negro tent occupant early last Thursday morning.

The victim, Early B. Williams Jr., was shot just below the right elbow. He said he was shot from a car which drove by a road about 125 feet from his tent.

The sheriff said officers checked on the tent site twice Wednesday night and saw nothing unusual. The shot was fired shortly after midnight.

Pattat said several phases of the shooting "disturbed" him. He said he was advised of the shooting by the Rev. June Dowdy, a spokesman for the Fayette County Civic and Welfare League, and Attorney J. F. Estes of Memphis. Dowdy and Estes were attending a league meeting in a grocery owned by John McFerren, League chairman.

Pattat said newspapers and news services were apparently notified of the shooting "either before or by the time I was."

"I'm greatly concerned," said the sheriff, "that people had rather call newspapers for publicity than to notify law enforcement officers when a shooting took place."

The sheriff has asked the telephone company for data on who made a call to Chicago shortly after the shooting, the time it was placed and who received the call. First tip of the shooting came from Chicago, it was said.

Williams, who was given first aid treatment, was back at the tent and said he had no intention of leaving.

Funds For Fayette County



JOHN McFERREN (left) chairman of Fayette County Civic and Welfare League, holds check with Rev. William J. Faulkner, pastor of Park Manor Congregational church, and Sterling Stuckey, chairman, Emergency Relief Committee for Fayette and Haywood counties. Stuckey said: "We are sending $1,000 in checks to Fayette county in order to buy tents," as he received $300 from Rev. Faulkner.

NEGROES BUY LAND FOR TENT TENANTS

The Atlanta Constitution
Atlanta, Ga.
Jan 2 1961

MEMPHIS, Feb. 18 (AP)—A Negro church group has bought a 400-acre farm as the future home for Fayette County sharecroppers now living in a "tent city."

The National Baptist Convention, U.S.A., Inc., made a $5,000 down payment on the $60,000 purchase here Friday as part of the "farm aid plan" recently adopted by the denomination.

Dr. W. H. Brewster of Memphis, chairman of the convention's National Education Board, said plans call for moving "tent city" residents into houses on the farm next month.

"Tent city was envisioned as a shelter for some 300 sharecroppers that the Fayette County Civic and Welfare League said would be evicted because they registered as voters.

HOWEVER, Federal Court barred immediate evictions, which took the pressure off the erection of tents and the "city" remains a line of 13 family-sized tents on a farm near Somerville with five at another location.

About 100 persons, including children, live in the tents. Most of them moved in before federal courts blocked evictions and decided to stay on.

A Justice Department civil suit is pending against white leaders in Fayette County seeking an injunction against economic conspiracy aimed at Negroes who register as voters.

* * *

WHITES have denied that such conspiracy exists and say the eviction notices temporarily blocked by the court were the natural result of farm mechanization.

The farm bought by the church group lies near Mason, with 350 acres in Fayette County, 24 in adjoining Haywood and 30 in Tipton.



Associated Press

New Home for "Tent City"

This is the main building on a 400-acre farm near Mason, Tenn., which has been purchased by the National Baptist Convention, U. S. A., Inc., for $60,000. The Negro church organization bought the farm as a future home for Fayette County sharecroppers, now living in "Tent City." A spokesman for the Convention said plans call for moving "Tent City" residents into houses on the farm next month.



Associated Press

This photo, made in December, shows two men driving stakes into the ground in Somerville, Tenn., for "Tent City." Twenty Negro sharecropper families moved there after being evicted from farms because, they said, they were victims of retaliation measures after they registered to vote in Fayette County.

First Negro Doctor; Busy Supermarket

Haywood County Residents Show Remarkable Teamwork

By Trezzvant W. Anderson

BROWNSVILLE, Tenn.—While fellow-Negroes in next-door Fayette County are still feuding in a Congo-like atmosphere, Haywood County Negroes are putting on a remarkable display of cooperation and progressiveness. The Haywood County Supermarket, with authorized capital of $250,000, is open and doing a flourishing business.

And for the first time in its long history, Haywood County now has a Negro doctor. A. L. (Al) Rawls, wealthy Brownsville funeral director and president of the Golden Circle Life Insurance Company, told The Courier how happy an experience it was to escort Dr. A. L. Nicholson to church last Sunday and introduce him to the citizens.

■

ON MONDAY morning Dr. Nicholson opened for business in one of Mr. Rawls' buildings and his office has been a busy spot ever since. Negroes are proud of their new doctor and Dr. Nicholson says he's here to stay.

Meanwsile, The Courier owes an apology to Mrs. Nora W. Barnes, a veteran in the Haywood County public school system, for having said that Odell Sanders is manager of the Haywood County Supermarket. The fact is that Mrs. Barnes is the manager of the supermarket, having resigned her job in the school system to render this service to her fellow citizens.

■

THE COURIER is happy to let the world know that a veteran teacher, Mrs. Barnes, has dedicated herself to the cause of racial freedom and independence in Haywood County. Shelves in the supermarket are lined with articles for the customers, as the Negroes of Haywood show in tangible methods that they are able to withstand the vicious "squeeze" put on them over a year ago by the white people because they sought to register and vote.

Shipments of food and clothing are still coming in for hard-press sharecroppers who have been faced with evictions, and are still being received by the Haywood County Civic and Welfare League Inc.

Hearing Set For February 6

CINCINNATI, Ohio — (UPI) — A U.S. Court of Appeals Friday, Dec. 30, issued an injunction to prevent the week-end eviction of Tennessee share croppers who claim they were being forced off the land because they want to vote.

The court's injunction applied directly to about 300 Negroes living in Haywood county. The court also suggested that the U.S. district court in Memphis consider issuing an injunction to prevent the eviction of 400 Negroes in Fayette county Saturday night.

The court said the case involved "grave constitutional and legal questions" which it would consider in a hearing on Feb. 6.

The court issued the injunction to keep the status quo until it can conduct a hearing on the merits of the cases involved. The court said that to permit the eviction of the Negroes over the week-end could cause the share croppers to suffer "irreparable damage" before the courts had the opportunity to consider the questions involved.

Some of the Negroes have left their farms and now are living in a tent city set up near Somerville, Tenn., where they are existing on donations of food and clothing.

The three judges emphasized in their decision read by Judge Paul C. Weick of Cleveland that their action was not to be taken to mean the courts would prevent a landlord from evicting a tenant for legitimate reasons.

The court also emphasized that the decision was not to be construed as "a present determination by this court that the Civil Rights Act (of 1957) may constitutionally be employed to require private citizens to continue or enter into contractual relations in respect to their property. That question will remain for decision."

Judge Clifford O'Sullivan of Detroit read the part of the court's decision relating to the Fayette county tenants. He said that U.S. District Judge Marion Boyd at Memphis could now consider issuing a preliminary injunction to prevent the eviction of Negroes in that county.

Justice department attorneys John Doar and Harold H. Greene immediately announced they would ask the district court in Memphis to issue an injunction forbidding evictions in Fayette county. They said they expected the injunction would be granted and they did not anticipate any evictions there until the entire matter is settled.

Boyd refused last Friday to issue an injunction to prevent the Haywood county evictions. He said that having ruled in this case, there was no point in taking up the Fayette county case.

The Haywood case was appealed to the sixth U.S. Circuit Court of Appeals whose headquarters are here. Court spokesmen said that the ruling in the Haywood case would apply to the Fayette county case.

The appellate court said that Judge Boyd had not had enough time last Friday to go into the merits of the individual cases, which the appellate court plans to do.

"It is our opinion that adequate time should be allowed for counsel for all parties to properly brief these legal questions and to present adequate arguments to this court before action now in contemplation (the evictions) is completed so as to render the case moot," the court said.

Friday's court session was without precedent as never before had a full dress session been held to issue an order. Normally Court Clerk Carl Reuss issues injunctions and other orders from his office.

But this time, the three judges —Weick, O'Sullivan, and Lester L. Cecil of Dayton, Ohio—were on the bench and each took part in making announcements in the case.

The Tennessee landlords had insisted throughout the proceedings that the share croppers were not being evicted but that the annual contracts between property owners and tenants were not being renewed. They said mechanized farming had ended the need for many share croppers.

The government, however, argued there was an organized move among the landlords and other white people to enforce economic hardship upon Negroes who registered to vote.

The court decision came following arguments which consumed three hours on Thursday, Dec. 29. The federal government sought the injunction to block the eviction of the 700 sharecroppers from farms in two Tennessee counties.

Attorneys representing the landlords in western Tennessee challenged the government's contention. They insisted in arguments before a packed court room that the evictions were not conspiracy to interfere with Negro voting but merely the termination of contracts, which are made annually.

Some of the Negroes have left the farms and are living in a tent city in Fayette county, Tenn. They are being cared for by donations of food and clothing. The contracts of other tenants end at midnight Saturday.

Government attorneys said they were not attempting to stop evictions as such. Instead, they felt a hearing should be held in Memphis to determine if the evictions are the result of Negroes attempting to vote for the first time.

The federal court in Memphis declined to go into the matter on grounds it had no authority to regulate contracts.

The issue arose under the 1957 Civil Rights act which forbids the interference with a person's right to vote. The Negroes claim their rights were violated in that there was an organized drive to evict share croppers and enforce economic sanctions against those who voted.

U.S. District Judge Marion Boyd of Memphis, Tenn., last week rejected the government's charge that white landowners in Haywood and Fayette counties in western Tennessee were evicting Negro tenants who registered to vote. The government wants the decision set aside and a trial conducted on the issue.

Attorney John Doar and Harold H. Greene, both from the Justice department in Washington, presented the government's case.

Doar reviewed the history of voting habits in the two counties, where Negroes are in the majority, and the evidence he said the FBI collected which supported the government's contention that there was interference with voting rights.

Doar said there was no place to register in Haywood county between November, 1958 and April, 1960. In 1960, he said, the Haywood Civic and Welfare League, sponsored by Negroes, was formed to encourage Negroes to register.

Doar said white people then organized to enforce economic sanctions against members of the league. He said their names were distributed and landlords were asked to remove their share croppers on grounds they were "non-cooperative."

Doar said some landlords told the tenants they had no objections to Negroes registering to vote but they did not want their tenants registering.

The attorney said white people sat in cars checking off the names of Negroes who registered to vote. Shortly afterward, he said, share croppers began receiving eviction notices. He said some of them had lived on the land for 40 years.

Greene said the government was not asking an injunction to stop the evictions as such but that the government does want an injunction to keep the status quo until hearings can be held to determine if the evictions were being made to stop Negroes from voting.

Defense Attorney C.P.J. Mooney of Memphis said that the tenants were not evicted because they registered to vote. Instead, he said, their contracts were being terminated.

Mooney said that the contracts of all share croppers traditionally are one-year contracts which must be renewed each year.

The judges questioned Mooney about the contracts. They wanted to know if they were formal contracts, made with attorneys representing each side, or if they were informal agreements. Mooney said they were informal arrangements.

Mooney said that in 1959 there was no voter registration in Haywood county because the county officials could not get anybody to serve as election commissioners. He said that since registration resumed, 765 Negroes registered to vote in Haywood county.

The case is being heard by three judges. They are Lester L. Cecil, Clifford O'Sullivan, and Paul C. Wick. There are six judges on the court whose jurisdiction ranges from Michigan to Tennessee.

In Washington, Sen. Estes Kefauver, D-Tenn., was expected to make public yesterday a Red Cross reply to his appeal for shelter for the tent city residents. The Red Cross sent an answer to Kefauver yesterday, but he said he had left his capital office before the reply arrived.

Attorney Thomas R. Prewitt, also representing the landowners, told the court he felt the government had no right to enforce a relationship between a landlord and a tenant.

Judge Cecil, whose home is in Dayton, Ohio, cut in to tell Prewitt there is a federal law forbidding the interference with a person's efforts to exercise his Constitutional rights.

"If this right is violated, wouldn't we be right in enjoining the evictions to intimidate these people from voting?" Cecil asked.

"Yes, you would," Prewitt replied.

Prewitt said he felt Negroes have the right to vote.

An interested spectator in the front row of the packed courtroom was Rev. Maurice F. McCrackin, a local pacifist, who served a brief federal prison term for contempt of court growing out of his refusal to pay income taxes. He said federal revenues were used to finance armaments. McCrackin took careful notes on the proceedings.

CINCINNATI, Ohio. — (UPI) — U. S. Justice department lawyers yesterday sought a "full-blown trial" of government charges that jobless Negro sharecroppers huddling in a Tennessee tent city are victims of a white conspiracy.

Government lawyers were scheduled to ask the Sixth U.S. Circuit Court of Appeals here to overrule Federal District Judge Marion Boyd of Memphis, Tenn. Boyd rejected the government's charges that white landowners in Fayette and Haywood counties in West Tennessee are evicting Negro tenants who registered to vote.

The six-man appeals court, made up largely of midwestern jurists, has not handled a similar case. But one of the judges, 77-year-old John Martin, is a native of Memphis, and his family has lived in the mid-South city for 108 years.

Denies An "Emergency"

The government ended a [illegible]

Sterling Stuckey, a Chicago school teacher, said $1,000 in donations and eight van loads of food have been sent by Fayette county. They want to Chicago Negroes.

White residents in the two counties scoffed at the tent city as a refuge for Negroes who [illegible] a good thing." Jack Crutcher, who owns a 1,300-acre farm at Henning, Tenn., said he here all our lives," said 60-year-old he has been advertising for "four or five weeks" "We never had a bit of trouble without response before we registered (to vote)," he "When we did, we were

Tents Draw Criticism

The miniature "city" of nine tents on the 200-acre farm of Shepherd Towles, 52, a Negro, sprang up just before Christmas. About 75 Negroes, including many children, now are living in the tents in a tents and receiving food and donations of clothing through John McCrackin, a Negro grocer who led a drive to register Negroes to vote. But Boyd refuse to say where the food is coming from. The Red Cross "cashing in on [illegible] Kefauver yesterday, a Chicago [illegible] farm. Towles said the tent dwellers [illegible] work for outside work [illegible] they don't want to leave Fayette county. [illegible]

evicted, but our landlords didn't tell us why."

Negroes outnumber whites about three to one in both Fayette and Haywood counties. Charges of discrimination against Negro voters began early last summer, but Negroes registered in heavy numbers before the November 8 election.

FBI Enters Case

The National Association for the Advancement of Colored People in New York City called a boycott of seven oil companies July 6 after McFerren complained he was blacklisted by distributors in Fayette county because of his voter registration activities. The NAACP in Chicago also called for donations for needy Negroes in the county in July. The FBI announced last July 15 it was investigating.

Many white farmers said they were doing away with tenant labor because they were mechanizing their farms. Somerville Mayor I. P. Yancy called the tent city "propaganda stunt."

Negro Grocery Caters To Voter

The Montgomery Advertiser

BROWNSVILLE, Tenn. (AP) — An all-Negro corporation has opened a supermarket here for Negroes who say they can't buy groceries and household goods in white stores because they registered to vote.

Nora W. Bond, store manager, said the business has more than 200 stockholders with shares selling for $52 each.

Sarah A. Shannon, a store clerk, said patrons are regularly asked to show their voting registration cards.

"If they do not have one we ask them why," she said. "We encourage them to get registered, and to exercise their voting rights. However, if they do not have a card when they come, we still will not refuse to serve them."

The government has filed suit against about 150 businessmen and landowners in Haywood and neighboring Fayette County charging them with "economic coercion" to prevent Negroes from voting. Among the alleged tactics, the government said, was the ordered eviction of Negro sharecroppers from farms and the refusal of merchants and banks to do business with those who registered.

Tennessee delegation given $2,355 at Chicago reception

The Afro-American

SOMERVILLE, Tenn. — A reception was held for citizens of Fayette County recently at the home of Mr. and Mrs. Theodore Moran of 1226 Hyde Park Blvd. in Chicago.

Mrs. Henry McGee presented checks totalling $2,155 to the Rev. June Dowdy who headed a delegation of five from the Original Fayette County Civic and Welfare League.

Carol Geyer, head of a student aid group at the University of Chicago, presented a check for $200 as the initial cash contribution from the students.

The Kenwood-Hyde Park Committee had its initial organizing meeting during the middle of January and elected as co-chairmen, Mrs. Theodore Moran and Mrs. Charles Fischer, 1316 Madison Park.

At a subsequent steering committee meeting the week of Feb. 5-12 was designated for an intensive campaign to raise funds for Fayette County.

• • •

ORGANIZED ON a block basis with more than 75 volunteer canvassers with Mrs. Henry McGee and Mr. Mitchell Passavoy as block chairmen, the drive was launched Jan. 27 by deluging the residents of the area with a flyer, "Fayette County—The New Frontier."

Flyers were left at every doorstep by block workers and children of the area. John Stevens and youth workers from the Unitarian Church passed out flyers at train stops and in front of shopping areas.

Working throughout the community the week of Feb. 5, the Fayette County volunteers collected money from door to door, from store to store; stood in freezing weather in front of shopping centers—left collection cans in key stores along the avenues.

In a week's time, the total of $2,355 had been collected. Members of the committee felt the results were gratifying and reported few people refused to cooperate.

• • •

IN THE course of the campaign many groups called to offer assistance: St. Thomas Parochial School plans to set up a depot for food, clothing and funds. BUSH — a high school group — collected money, food and clothing in Marionette Manor.

Boy Scouts from the Cottage Grove troop collected canned foods. The South Shore School of Jewish Studies sent notices home with their children one Sunday and collected funds the next.

Two clubs from the Hyde Park Neighborhood Club plan a Car-Wash in April.

Proceeds from this effort will go to the Original Fayette County Civic and Welfare League, headed by John McFerren.

Baptists To Aid Tent City Negroes

The Commercial Appeal

Convention Buys Farm For Their Employment

Memphis, Tenn.

The National Baptist Convention, U. S. A., Inc., completed a transaction yesterday to purchase a 404-acre farm near Mason, Tenn., for the employment of residents of Tent City near Somerville, Tenn., in a "racial self-help" program.

Dr. J. H. Jackson of Chicago, president of the Convention, said the farm contains three houses and two new houses will be built on the place.

Dr. Jackson said he visited Tent City where lvie a number of Negro families who claim to have lost their employment on Fayette County farms when they registered to vote.

The farm cost $60,000 and a down payment of more than $15,000 was made, Dr. Jackson said. He said an application was made in Somerville for an increase in cotton acreage allowance so the farm may be able to support as many as seven or eight families.

"This helps the church to help the people," he said. "The church will be the landlord and the tenants will work on a sharecropper basis. The convention is not interested in making money."

AFL-CIO Aids Tenn. Negroes

The Defender

AFL-CIO President George Meany has announced the AFL-CIO is making a special effort to give emergency assistance to the Negro sharecroppers in western Tennessee, evicted from their homes in connection with their exercise of the right to vote in the November election.

The AFL-CIO has allocated $2,000 for food, clothing and the necessities of life of the evicted sharecroppers and their families. This money is made available to the Tennessee State Labor Council, AFL-CIO, to provide the needed relief to the dispossessed families in Haywood and Fayette Counties.

Matthew Lynch, secretary of the Tennessee State Labor Council, AFL-CIO, has spearheaded organized labor's drive in Tennessee to mobilize support of these citizens who have been deprived of livelihood and rendered homeless because they exercised their right to vote.

Meany also announced that the AFL-CIO Community Services Committee has been directed to conduct a "Gifts in Kind" campaign in Tennessee to enlist voluntary help throughout the state to provide the needed food and clothing to these dispossessed families.

34e 1961

TENNESSEE

Negroes Return With Rifle Shots

White Youths Fire Blanks At Sharecroppers' Tent

SOMERVILLE, Tenn. — (AP) — A federal official Tuesday said he would not tolerate violence or inflammatory statements by either side in the Negro sharecopper eviction conflict here.

Tom Abernathy, a district attorney general, also reported a second incident had occurred at a sharecropper tent village near Somerville.

Three white youths fired a gun loaded with blanks from their car Friday midnight, Abernathy said.

He said the Negroes answered with shotgun and rifle fire. No one was hurt.

Abernathy identified the three as Raymond Murray Parks, 18, Rhett Powers, 18, and J. Perry Pulliams, 21, all of Somerville. He said he gave them a stern lecture and released them.

In the first incident, a shot apparently fired from a passing car hit a Negro sharecropper in the arm. That investigation is still under way.

The tent village houses the families of nine sharecroppers who claim they were evicted from their farm homes because they registered to vote. They were among some 700 sharecroppers in Fayette and neighboring Haywood Counties ordered evicted by white landowners who said their mechanized farms no longer needed hand labor.

The government blocked the mass evictions, set for Jan. 1, by emergency court orders pending a hearing on its civil rights suit against the landowners.

FBI probing Freedom Village gunfire after three are freed

MEMPHIS, Tenn. — Shooting incidents at Freedom Village, the tent city of evicted sharecroppers, are being probed by the Federal Bureau of Investigation.

The announcement of the probe was made here last week by Clifton Halter of the Memphis office of the FBI.

The investigation was ordered by Harold R. Tyler, Assistant Attorney General in the Civil Rights Division of the Justice Department.

The shootings occurred at the Village Dec. 29 and 31.

* * *

THE FIRST shooting resulted in the wounding of Early Williams, 25, who was asleep in one of the tents at the time.

No one was wounded by the second shooting which drew the fire of some of the evicted sharecroppers who were ready with shotguns and rifles.

Later District Attorney General Tom Abernathy announced that three Somerville residents, all white, were responsible for the second shooting.

* * *

THE DISTRICT ATTORNEY General identified the trio as Raymond Murray Parks, Rhett Powers, both 18, and J. Perry Pulliams, 21.

The DA contended that the weapon used was a "truck stage gun" loaded with blanks.

No charges were filed against the three. The District Attorney said he "lectured and released them."

Freedom Village houses a portion of 700 sharecroppers of Fayette and Haywood countries who were evicted by white landowners because they registered and voted in the Nov. Presidential election.

* * *

HOWEVER, as a result of a suit filed by the Justice Department, the court blocked the mass evictions on the grounds that sharecroppers cannot be ousted because they register and vote.

The latest legal action in the case, which still is pending, was Jan. 5 when Federal Judge Marion C. Boyd told the defendants they could not evict the tenants without first proving to his court that they were not attempting to interfere with the tenants voting rights.

The judge scheduled a hearing for Jan. 16.

* * *

A MEMPHIS lawyer for the landowners, last week raised another legal question in connection with the preliminary injunction barring the evictions.

He is John Porter who asked the court to specify that tenants shielded by the injuction be required to post bond equal to a year's rent.

The argument for the bond is based on a rule which says the applicant for injunction must put up a bond "for the payment of costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained."

* * *

THIS PLEA is expected to be denied by the court. The injuction was sought and obtained by the Justice Department. The rule specifically states that the Federal Government is not required to post such bond.

Meanwhile, hundreds of organizations and individuals throughout the country are rallying to the support of the hard-pressed tenants.

Also, Bishop Edgar A. Love, head of the Baltimore Area of the Methodist Church, has appealed to President Eisenhower in behalf of the sharecroppers.

The bishop was joined in the plea by Bishop John Wesley Lord of the Washington Area Methodist Church, Bishop George W. Baber and Bishop Charles E. Tucker of the AME and AME Zion Churches, respectively.

Shots Fired In Area Twice Within Week

Somerville, Tenn. — Residents of this middle Tennessee area received new hope with the new year when the U. S. Sixth Circuit Court ruled that white landowners could not evict Negro sharecroppers because they registered to vote in the November 8 elections.

The United States Justic Department had intervened last week on behalf of Negroes who said their leases had been terminated and credit curtailde becaus they sought their right to vote. The Negroes, approximately 700, were residents of Haywood and Fayette Counties.

Shooting again broke out in "Freedom Village" or "Tent City" were hundreds of evicted Negro share croopers have taken up residence since their contracts were not renewed in Fayette and Haywood. The tents are on the farm of Negro farmer, Shepherd Towles.

Second Shooting

It was the second shooting in the tent area in the last three days. Tweny-five year-old Early B. William was wounded in the arm last Thursday when a high powered rifle was fired into the tent he occupied with his wife and three children.

No one was injured in the second shooting on the village. A Negro leader said that gunfire was exchanged between tent city residents and a car driving past the tents. John McFerrin stated in a television interview that Negroes of tent city had been pushed just about" as far as they can go."

The white landowners denied the charges stating the Negroes were dismissed for economic reasons. They stated that their farms had become highly mechanized and no longer needed tenant farmers.

The three-judge court at Cincinnati, however, granted a temporary injunction to prevent the eviction of an additional Negro sharecroppers in Haywood County. The order affected 37 landowners in the area.

The landowners will now have to show the court that Negro vote registration had nothing to do with their dismissals. The decision effeced only those Negroes in Haywood County. The court dismissed a similiar action on behalf of Negroes in Fayette.

Government attorneys indicated that they would use the Haywood injunction as precedent in the Fayette County case. District Judge Marion S. Boyd signed the injunction at Memphis envoking the restraining order.

The injunction specifically states that the landowners refrain from "intimidating, threatening and coercing" Negro tennants for the purpose of interfering with their right to vote.

Organizations Protest

McFerrin, a leader in the Fayette County Negro voting drive ast November hailed the decision as "a victory for democratic forces in the United States."

The Southern Conference Conference Educational Fund has appealed to President Eisenhower and to Senators Kefauver and Lnydon Johnson to visit "Freedom Village" and urged Tennessee Governor Buford Ellington and Attorney William Rogers to protect the lives of the Negroes.

James Forman, Chicago, of the Emergency Relief Committee for Haywood and Fayette county indicated his organization was happy over the court's restraining order. The Committee has been instrumental in sending money, food and cloth-

registration drives resulted in ...
...ette who were brought by bus ... group of Washington, D. C. ... of food and clothing.
...gram director, represented the ... Negroes outnumber whites in the registration of 1,400 Ne... people and the
Association at a Christmas par... The NAACP officials. ... both Haywood and Fayette coun... groes in Fayette and 800 in Hay...
...y for more than 1,000 of the ... have never voted in wood.
...ng to "Tent City." ... distributed ... ties, but have ... large groups until 1960. Voting



THE FAMILY OF EARLY B. WILLIAMS narrowly escaped death last week when a shot from a high powered rifle was fired inot the tent from a moving automobile. Williams was treated for a gun shot wound of the arm. (Photo by Withers courtesy of the SCEF).

Deny J. McFerrin Quit Fayette County Plan

By TREZZVANT W. ANDERSON

SOMERVILLE, Tenn.—So that the fog may be cleared away from the misleading headline in last week's Courier: "John McFerrin Quits League Post, 'Peace' Reigns in Fayette," this reporter wishes to inform the world positively that McFerrin is not out of the picture by a long shot, that "peace" does not reign in Fayette County, and that a split there has clearly divided the lines of leadership. The people themselves are free to choose whom they'll follow.

Atty. R. Bartley J. Campbelle Jr. told The Courier from Nashville last week that what has happened is that there are now two separate and distinct civic and welfare leagues in Fayette County. The idea was not to engage in any hassle with the league group headed by Scott C. Franklin and Atty. J. F. Estes, but to set up machinery so that the needy people of Fayette would not be deprived of help while the feuding went on.

Therefore, says Attorney Campbelle, following due notice for election, a meeting was held and John McFerrin was elected president of The Original Fayette County Civic and Welfare League which Attorney Campbelle in incorporating in Nashville. This leaves the Fayette County Civic and Welfare League, of which Scott Franklin is president, with the Estes group.

"Those who want to contribute and send food and clothing to John McFerrin may do so," Attorney Campbelle pointed out to this reporter, "and those who want to send food and clothing to the Franklin group may do so. It's as simple as that."

Attorney Campbelle disclosed that Attorney Estes' group tried legal action Saturday before last to attach the supplies of food and clothing on hand in McFerren's warehouse, but the court turned down their motion. He says that Attorney Estes' group then tried to get a writ from the sheriff to attach the supplies, but the sheriff in Somerville rejected the request.

On the following Wednesday, Attorney Campbelle says McFerrin distributed some 2,000 batches of supplies. He said when he left Wednesday night, from 400 to 500 persons were still on hand from District One of Fayette, awaiting distribution.

Legal basis upon which the new action of the two leagues was predicated, according to Attorney Campbelle, came when he and his father were hired by McFerrin's group to be their legal counsel.

The attorneys studied the charter procured for the Fayette County Civic and Welfare League by Attorney Estes, and Mr. Campbelle says he found that it was not properly recorded in Fayette County. This, he says, made its functioning invalid from a legal standpoint, and he set out to rectify this situation. Thus came about the second league comprised of McFerrin and those faithful to his cause.

Organizations around the nation should know now that there are two Fayette County civic and welfare leagues, but John McFerrin heads The Orginal Fayette County Civic and Welfare League Inc., and the other league is in the hands of Scott Franklin and Attorney Estes.

They may contribute food clothing or other help to whichever league they choose, but McFerrin is still doing business at the same old stand, his store on Somerville Highway, Route 4.

Meanwhile, the funds of the civic league in the Tri-State Bank of Memphis are still frozen, but Mr. Campbelle says his group is seeking to work out a compromise that will clear up the status of funds received before Jan. 1, 1961.

So. mates, there you have it—the picture of Fayette County, Tenn.—still a hotbed of confusion, except on one point, apparently, that point being the controversial James Foreman of Chicago. Attorney Campbelle told The Courier he understood Mr. Foreman has returned to Chicago to his school-teaching job.

Otherwise, the picture is still as clear as mud.

'Tent City' Due To Move to Farm

MEMPHIS, Tenn., Feb. 18. (AP).—A Negro church group has bought a 400-acre farm as the future home for Fayette county sharecroppers now living in tents.

The National Baptist Convention, USA, Inc., made a $5000 down payment on the $60,000 purchase here as part of the "farm aid plan" recently adopted by the denomination.

Dr. W. H. Brewster, of Memphis, chairman of the convention's national education board, said plans call for moving "tent city" residents into houses on the farm next month.

"Tent City" was envisioned as a shelter for some 300 sharecroppers who the Fayette County Civic and Welfare League said would be evicted because they registered as voters.

Evictions halted in 'Tent City' vote squeeze; violence erupts

The Afro-American
Baltimore, Md.
Nov 25

CINCINNATI, Ohio — The Sixth U.S. Circuit Court of Appeals, Friday issued a temporary injunction, bringing to a halt the planned eviction of about 700 sharecroppers in Fayette County, Tenn., because they had dared to vote in the Nov. 8 election.

The ruling overturned the decision of U.S. District Judge Marion Boyd of Memphis, who had refused to issue an injunction.

The appellate court, however, made it clear that its injunction applied only to those landowners who were evicting tenants for registering and voting. The order does not apply to evictions because of other reasons, the court held.

The court heard the case Thursday. The government contends the sharecroppers were evicted because they registered to vote. The landowners deny the charge, claiming the sharecroppers were no longer needed on their now mechanized farm.

Many of the sharecroppers have moved into this area, forming a "tent city."

NIGHTRIDERS STAGED a hit - and - run attack on Thursday and shot one man in the arm.

Early B. Williams, who heads one of the eight families living in the tent settlement, was shot in the fleshy part of the arm. He was rushed by automobile to Memphis for treatment.

Sheriff C. E. Pattat could not be reached at the time. An aide reported he would be unavailable for an indefinite period.

Mr. Williams is living in a tent close by the rural road which borders "Freedom Village."

Officers of the Fayette County Civic and Welfare League, which set up the tent city' to accomodate evicted farmers, said the attackers evidently shot at random from an automobile.

EFFORTS ARE being made to expand "Freedom Village" to accommodate some 300 families which may have to move in around Jan. 10, the deadline for eviction for most of them.

The settlement is located on land owned by a colored farmer. Opponents of colored farmers efforts to vote call the 'tent city' a 'propaganda' move.

They do not deny, however, that colored farmers are being evicted en masse from the homes and farms they have lived on for generations.

Christmas at "Freedom Village" was rather grim—lightened only by the knowledge that persons in other parts of the country were backing them in their fight.

Proof of this came in the form of the tents, purchased with funds from all over the country, clothing, food and money.

ONE OF THE MOST active of the supporting groups is the Emergency Relief Committee for Fayette and Haywood counties in Chicago. Speaking to a church there, an official of the committee stated:

"Freedom Village" or 'tent city', should be a reminder to all Americans that the colored man is not yet free. Those sharecroppers and tenant farmers who are living in tents because they dared to vote deserve the support of all Americans."

Another official declared, to a church meeting, "we are sending $1,000 in checks to Fayette County in order to buy tents.

"The deadline is Jan. 10. We must get more tents for Freedom Village."

The church, Park Manor Congregational, contributed $300. Three Christian Scientists contributed $252 to the fund.

The Baptist Ministers' Conference approved a special report to raise money for tents, to send a delegation to Washington, to plan a mass rally for Fayette County and to boycott firms discriminating against colored citizens there.

Other support for these embattled citizens took several forms. Robert Golden started an airlift of medical supplies and a registered nurse went to Fayette County from Chicago.

Several other churches and organizations made contributions to the relief effort. As this support mounted, Gloster Current, director of NAACP branches, forecast a "break in the current economic freeze." He said:

"Bigots and segregationists are ultimately going to be replaced by leaders who believe in democracy as colored voting strength rises in the South."

J. F. ESTES, Memphis lawyer for the Tennesseeans, and John McFerren, chairman of the Fayette County Civic and Welfare League, reported that their recent trip to Washington was partially successful.

Our goal, securing surplus food from the Department of Agriculture, failed because regulations require that requests must come from local county courts. This is not at all likely in Fayette and Haywood counties.

The spokesman complained against the handling of short-term and long-term loans in a manner which prevented colored farmers from getting them. They said that no colored person had obtained a loan to buy a farm in Fayette County since 1939.

The Department promised an immediate investigation of any future loan denials. The Department also promised 90-day and long-term options for farm purchase programs.

Mr. Estes presented plans for the purchase of huge land tracts of 2,000 to 5,000 acres. Such tracts would be divided into 100- and 200-acre tracts for individual purchase.

Department officials approved this plan and promised 90 per cent and 100 per cent loans for land purchases.

Upon the completion of charter requirements for the Farmers Federal Credit Union, the Department promised loan grants to the corporation for immediate loans to the Fayette and Haywood countians.

E. Frederic Morrow, assistant to the President, expressed his sympathy and respect for the Tennessee farmers. Although present regulations prohibit it, the Department of Agriculture said every effort would be made to release surplus food to the needy farmers.

Ohio NAACP Aids Tenn. Counties

The Defender
Chicago, Ill.
Wk Jan. 28-Feb. 3-61

COLUMBUS, Ohio — (ANP) — Rev. John B. Quick, president of the Columbus NAACP, announced this week that the local branch will respond to a special appeal for funds to aid the victims of economic reprisals in Tennessee.

The appeal is one from Roy Wilkins, executive secretary, to all NAACP units in the country, asking them to help the Negro families in Tennessee who are being evicted because they registered and voted in the past election.

Wilkins stated that more than 300 families in Fayette County alone are scheduled for evictions. Some have already been evicted and are living in tents in what has become known as "Tent City." In his appeal, Wilkins stated that the great need is for funds to buy more tents and other things that these families will need.

Rev. Quick said, "We plan to extend this appeal to the entire community, churches, clubs, labor unions, individuals, etc. and plans are being made to include the patrons of bars and taverns. The response should be sent to the Columbus NAACP office, 885 East Long Street, and checks or money orders should be made payable to the NAACP."

Tennessee Conspiracy Charged

The Christian Science Monitor

Negro Votes Put to Test

Special to The Christian Science Monitor

Brownsville, Tenn.

Until last August no Negro had ever cast a vote in Haywood County, and until two years ago little thought was given to the possibility that one ever would.

Now the federal government is engaged in a difficult legal struggle to see whether it can insure the Negro the right to vote and protect him from economic reprisal. On the outcome here and in adjoining Fayette (Somerville) County rests the Negroes' hopes—and the white man's fears—of unrestricted voting in other Deep South areas where Negroes outnumber whites.

The controversy is involved in proceedings before both the United States District Court at Memphis and the Sixth Circuit Court of Appeals at Cincinnati. The government's case is based on the Civil Rights Act of 1957, which Congress designed to bolster constitutional provisions guaranteeing the ballot and equal protection of the laws to all.

But in these two west Tennessee counties where the white citizens have been firmly in control for so long, the voting rights of the Negroes have become inextricably entangled with property rights of the landowners, bankers, and merchants.

Organized in 1959

The Negroes began their effort to obtain voting rights in 1959 when, with the help of Negro leaders from Memphis, they organized the Haywood County Civic and Welfare League. They sought first, without success, to participate in the county Democratic primary, a party affair financed by qualifying fees collected from the candidates.

With a threat of federal court action and under the watchful eye of federal agents, the county election commission finally began registering Negroes in time for them to vote in the state Democratic primary last August, when federal and state officials were nominated.

But in this county of 23,393, where 62 per cent are Negroes, the struggle for voting rights was just beginning, and tension between the white and Negro residents mounted.

Soon the Negroes, most of them tenants or small farmers heavily dependent upon credit from one harvest to the next, found a changed attitude in their business relationships with whites. When they sought to buy or borrow, clerks and bankers checked names on a list before permitting the transaction. The Federal Bureau of Investigation discovered these lists carried the names of Negroes who had registered or were members of the Civic and Welfare League.

Deliveries Stopped

Negro merchants found local wholesalers unwilling to sell to them and were forced to haul their own merchandise from Memphis. Gasoline pumps were removed from Negro-owned service stations, and deliveries to Negro farmers were cut off.

After some Negroes voted in August and others registered in preparation for the November general election, the eviction notices began. Tenants and sharecroppers were told they would have to "make other arrangements" when their leases and contracts expired at the end of the year.

A typical farmer announced he was going to mechanize cotton production on his land and would have "no earthly need" for the 11 Negro families who were working for him. Another dismissed his tenant because, he said, the Negro had become "dissatisfied and indifferent" and because the 1960 crop was the "poorest in three years."

The federal government stepped in, charging that a conspiracy existed to drive the Negroes off the land in retaliation for having registered. An estimated 300 to 400 families had been given eviction notices.

Injunction Issued

Judge Marion S. Boyd of Memphis, after a three-day hearing, denied the request for a temporary injunction halting the evictions but was overruled by the Court of Appeals. An order was issued preventing the landowners from evicting the Negroes to interfere with their rights to register and vote. But landowners were allowed to oust tenants and sharecroppers in a normal revision of farming operations.

Further hearings by the Appeals Court are planned in February in an effort to find a means of determining when an eviction is an infringement of civil rights and when it is a normal exercise of property rights. The judges obviously are troubled by the problem.

Judge Boyd, in his ruling, declared the Civil Rights Act "in protecting the right to vote is definitely the law . . . and should be respected by all."

But, he said, "Congress did not vest in this court the authority to adjust contracts and property rights."

The courts are confronted with deciphering the motives of property owners when a lease or contract is terminated and of merchants and bankers who refuse to extend credit. If the intent is to discourage voting, the action may be illegal. But also involved is whether a landowner can be required to keep an inefficient Negro tenant, or one no longer needed, simply because the Negro is a voter.

The final decision, and whether the government is able to enforce it, will have far-reaching effects on the efforts of Negroes to use their franchise in Mississippi, Alabama, Georgia, South Carolina, and other Southern states. But it may have equally far-reaching effects on the rights of businessmen and landowners to decide with whom they will do business and on what terms.

Trend Noted

Larger farm units and increased mechanization are a national trend in agriculture and widely recognized by experts as essential to the farmers' economic survival. The movement in this direction has been going on for years in both Haywood and Fayette Counties, where the main crops are cotton, corn and soybeans with limited production of livestock. There is practically no industry in either county.

Between 1954 and 1959, the number of farm units in Haywood County dropped from 4,294 to 3,210 and the number of tenants declined from 3,086 to 2,157.

That the trend toward mechanization here has been stimulated by the Negroes' insistence upon voting is generally recognized. But the government is going to have difficulty in determining when a farmer's decision is made on the basis of economics and when on racial prejudice.

Eviction Case Takes New Turn

By the Associated Press

Memphis, Tenn.

New legal arguments have been posed in a petition for preliminary injunction barring eviction of some 400 Negro sharecroppers from their homes.

John Porter, Memphis lawyer, said Wednesday he would ask District Federal Court to specify that Negroes shielded by such an order be required to post bond equaling a year's rent.

The Negroes live on farms in Fayette County, Tenn., where 81 land-owners, merchants and a bank were named in a Justice Department civil suit charging conspiracy to wage economic war on Negroes who register to vote.



TENT CITY DWELLERS — The Willy Trotter family gathers in their tent after their sharecropper lease was not renewed in Somerville, Tenn. The Government, in a civil suit, says the plight of Trotter, and many Negroes near Somerville, resulted from Negroes attempting to vote. Whites insist farm mechanization is the cause. Trotter and at least five other Negro families live in tents, with more expected to follow. (See story on Page 3.)

In Economic Boycott

The Courier
Pittsburgh, Pa.
Sat. 1-7-61

Appeal Court Holds Fate of Negro Victims

By TREZZVANT W. ANDERSON
(Courier Roving Reporter)

MEMPHIS, Tenn.—Whether almost 1,000 Negro sharecroppers in Haywood and Fayette counties were to be forced out-of-doors in the middle of a cold winter by scheming white landlords getting back at them for registering to vote last week lay in the hands of three judges of the Sixth U. S. Court of Appeals, at Cincinnati, Ohio.

● The Department of Justice, climaxing over a year of probing, with a suit for a temporary injunction to restrain the Haywood evictions—and the Fayette evictions, as well—lost the first round in its fight in a hearing before a Federal district judge who ruled against the government in its appraisal of the scope of the 1957 Civil Rights Act.

The judge was Judge Marion S. Boyd, who has a reputation for slowness in getting around to racial suits.

The 1956 suit filed by Negro ex-postman O. Z. Evers has yet to be brought to trial before Judge Boyd. The same is true for a couple of other racial suits.

JUSTICE DEPARTMENT attorney John Doar, a lean, wiry Wisconsinite, tried vainly to have some other judge sit as trial judge for the Haywood and Fayette cases. Judge Boyd refused to allow another judge to sit on the suits.

Mr. Doar has asked the Sixth Circuit Court to order another judge to hear the cases. That august body had three of its members assigned to hold a hearing in Cincinnati at 10 A.M. last Thursday, to rule on the government's appeal and request.

What Haywood Suit Means:

If United States is unable to protect rights of Negroes and loses this suit, then all Southern Negroes will be subject to this form of economic reprisals for anything and it will be in legal guise. That is, within the law, and nothing can be done to whites who impose it upon Negroes.

Mr. Doar, who made personal investigations in both counties and was able to push the cases with positive authority, has asked the appeals judges to issue orders restraining the evictions of the Negroes in both counties. The eviction date is Jan. 5, 1961.

JUDGE BOYD rejected the government's appeals on behalf of the Negroes on the grounds that his court did not have authority under the Civil Rights Act to adjust contracts or property rights.

That appeal for a temporary injunction however, does not affect the final outcome of two other suits, each asking for a permanent injunction to restrain the whites from evicting the Negroes.

The Civil Rights Act forbids any act designed to deny any citizen the right to vote or an intimidation connected to depriving him of that right. That is what Mr. Doar claims is happening in Southwest Tennessee, despite the defense allegations that a trend to mechanization is the reason the Negro sharecroppers are being dismissed.

THE GOVERMENT contends that many of the Negroes are old and uneducated and know no other way of life except sharecropping.

That was obvious as more than a score of Negroes took the witnes stand here at the hearing before Boyd.

The government also contends that hundreds of Negro children are in school and their education will be ruined or disrupted by the evictions. It also charged that the Negroes had no place to go. Many testified they had not found any place to go, some said they had not tried "here in Haywood County. 'Twarn't no use."

With over 300 affected in Haywood and approximately 400 to 500 in Fayette County, and the dead of winter now at hand, the plight of these sharecroppers is truly heart-readering. Mr. Doar, who bears a resemblance to President-elect John Kennedy, calls their plight "cruel and savage."

THAT THE Department of Justice intends to press the issue to the highest court in the land was evident here when one of the attorneys told The Courier: "We've never lost a civil rights case before the Supreme Court, and we don't intend to start with this one."

This came when Mr. Doar was firmly informing Judge Boyd that he was appealing the Boyd ruling and asking the appeals court for speedy action to keep the sharecroppers on the farms until all the issues are decided.

Meanwhile, The Courier learned that the Washington, D. C. trip of Attys. J. F. Estes, John McFerren and Scott Franklin may produce some Federal aid in the food line for the hard-pressed farmers, as well as loans for the 1961 crops.

Here in Memphis, GOP Leader George W. Lee made an appeal to President-elect Kennedy to include aid for the Negro sharecroppers in his program.

But for the present the entire situation hinges upon the action of the three appeals court judges at Cincinnati on the morning of Dec. 29.

COURT AGAIN BARS NEGRO EVICTIONS

The New York Times
Dec. 1-6-61

U. S. Judge Bans Landlords From Using State Bench—Sets Hearing on Jan. 16

New York

By WAYNE PHILLIPS
Special to The New York Times.

MEMPHIS, Tenn., Jan. 5—A Federal district judge told landlords in two nearby counties today that they could not evict their Negro tenants without proving in his court that they were not attempting to interfere with the Negroes' voting rights.

He scheduled a new hearing for Jan. 16.

Judge Marion C. Boyd made the ruling after declaring that "an intolerable situation" had developed as the result of a ruling last week by a United States Court of Appeals. This ruling protected tenants from evictions designed to interfere with their voting rights.

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The Appeals Court in Cincinnati, had left it up to Judge Boyd to decide how this finding should be enforced. He had previously ruled that nothing in the new Federal Civil Rights Act empowered him to interfere with a landowner's contract and property rights.

Decision Only Temporary

The decision by the Appeals Court was only a preliminary one intended to maintain the status-quo until the court could determine whether the Government did have such a right to interfere.

Judge Boyd urged both sides to seek a speedy determination of the issue in the Appeals Court. As it now stands, the matter will not come up in the higher court until after Feb. 6. A decision could not be expected until around the start of the next planting season.

Judge Boyd stold the attorneys for the landlords that 'those who are hurting the most" should come back before him on Jan. 16 and present the case for evicting their tenants.

The landowners had wanted an assrance that they could proceed with the evictions in state courts, but Judge Boyd said that such a procedure "would not be justified."

The agreements under which tenant farmers operate in Haywood and Fayette Counties, the only two involved, expired at the end of 1960. Normally this is the time of year when agreements are being negotiated between the landowners and their tenants.

U. S. Alleges Boycott

The Federal Government contends, however, that about 135 families, comprising about 700 persons, have been told they must get out of their homes as part of a general economic boycott for having tried to register.

Both counties are predominently Negro. However, few Negroes had voted in them until this year—after the Federal Civil Rights Commission had brought a court action to remove obstacles to their registration.

The Federal Government now says that many of the 2,000 Negroes who have registered since then have been forced from their homes, dismissed from their jobs, denied credit, had their insurance canceled, and have been unable to buy anything, including food, clothing and medicine.

The cases are pioneer actions by the Justice Department to enforce the new civil-rights legislation, passed by Congress in 1957 and 1960.

Tent City the Focus

For the Negroes the focus of the fight being carried on here is a tent settlement just outside Somerville, Tenn., the seat of Fayette County.

Here for the last two weeks have liver eight families whose adults registered to vote last year. Because they did register, they say they were told to leave farms they had worked for many ears.

Sympathetic persons throughout the country have sent food, clothing and money to help the Negroes of the two counties remain there—in their homes if possible, or in the tent settlement, which has been made ready for them.

It is not an impressive place. It consists of fourteen Army surplus tents and an outhouse set up in a small field across a blacktop road from the home of Shepherd Towles, a Negro landowner.

Field Now a Quagmire

The weather has been freezing here. Rain and snow, and the coming and going of visitors—neighbors, newsmen, and sympathizers—has churned the grassy field into a quagmire. Laundry hangs on the bushes to dry. Hounds sniff at the strangers. Children splash in the watery ditches around the tents.

The plans of the Negroes are ambitious, however. With the help of groups throughout the country they hope to turn the village into a semi-permanent settlement, with wood floors under the tents, graveled streets, modern sanitary facilities and electric power. They plan to put up a white entrance arch bearing the name they have given the setttlement, Fredom Village.

The road that brought the Negroes to Freedom Village began after World War II when returning war veterans, who had discovered the world beyond the Tennessee hills, began to assume the leadership in their communities.

One of these Negro veterans was J. F. Estes, now a Memphis lawyer, who grew up on a farm in near-by Madison County. His parents were landowners, and he was able to go to Lane College in Jackson, Tenn., before the war.

In the Army he became an officer—he is now a major in the Reserve—and after the war he earned his law degree at Marquette University in Wisconsin.

Unlike many veterans who went away to college on the G. I. Bill of Rights, he returned to Tennessee. And in 1955 he organized a group called Veterans Benefit of America, to help Negro veterans—who were excluded from or neglected by larger veteran organizations here—to obtain their benefits.

Stress Put on Voting

One of these benefits, as he saw it, was voting. And in 1958 members of his organization, with his help, sought to register to vote in Fayette and Haywood Counties.

In Fayette County, according to a Federal investigation, seventeen Negroes had voted since 1952. In Haywood County, no Negro had voted in more than fifty years. Those who tried to register in 1958 were turned down. Complaints in their behalf were filed with the Civil Rights Commission.

At this time an unrelated event took place. It was to provide the emotional stimulus to accelerate attempts to encourage the Negroes of the two counties to try to register to

A Negro named Burton Dodson, who for eighteen years had been a fugitive on charges of shootin⅛ a deputy sheriff in Fayette County, was arrested in East St. Louis, Ill., and brought back here to be tried for murder.

The legal defense fund of the National Association for the Advancement of Colored People enabled Mr. Estes to handle his defense.

Competence Questioned

"The only real defense in a case like that," said Mr. Estes, "is to challenge the competence of the community to judge the man. And that is what we did."

Mr. Estes was the first Negro to try a case here since Reconstruction days.

Every propective juror was asked whether he believed Negroes should be able to register and vote. If they replied "No" —as everyone did for the first three days of the trial—Mr. Estes challenged them for cause, as prejudiced to Negroes.

"After three days of that, the whites saw they'd never get a jury unless they changed their tactics," Mr. Estes said. "All of a sudden the answers switched to 'Yes.'

"And when the Negroes in the courtroom heard white people they had known all their lives saying Negroes should register and vote, they walked right downstairs in the court house and registered."

The trial ended in April, 1959, when Dodson was convicted and sentenced to twenty years in prison—a sentence later reduced to ten years.

The conviction came two months before the Democratic County Executive Committee was to meet to issue the call for the biennial primary—at which the Democrats nominated, and virtually elected, their candidates. Republicans seldom run candidates in Somerville.

"The committee members were in a panic," said a white business man here. "They thought the Negroes were going to take over the county just as they did in the Reconstruction days."

The official notice for the primary contained, as it had since those days, a phrase limiting it to "all known white Democrats."

This time the word was passed to election officials, according to the Federal investigation, to enforce the limitation strictly. All of the Negro voters who had registered were turned away at the polls.

At the same time a White Citizens Council was organized, and began to organize the economic boycott of those who had registered, according to the Federal investigation.

The Negroes also began organizing. With Mr. Estes as an attorney a civic and welfare league was chartered in both Fayette and Haywood Counties.

The chairman of the Fayette County league is John McFerren, a 36-year-old Negro veteran, who first met Mr. Estes when he was an Army private at Camp Ellis, Ill. During the war he was in an engineering company in the European theatre.

Knows the Whole County

Since the war Mr. McFerren has been driving a truck, hauling cotton, seed and logs into and out of every corner of the county and he knows nearly all the white farmers.

In Haywood County another veteran, 36-year-old Currie P. Boyd, has played a similar role in organizing the league. He was a high school teacher with a Master's degree from Iowa State University, the grandson of a Negro who in Reconstruction days had served as a county magistrate.

In June 1958 he attempted to register to vote, and was unable to do so. He was discharged from his teaching job.

There has been physical as well as economic danger for the young veterans and others helping them in the voting drive. Some of the men have been beaten and some have been shot at.

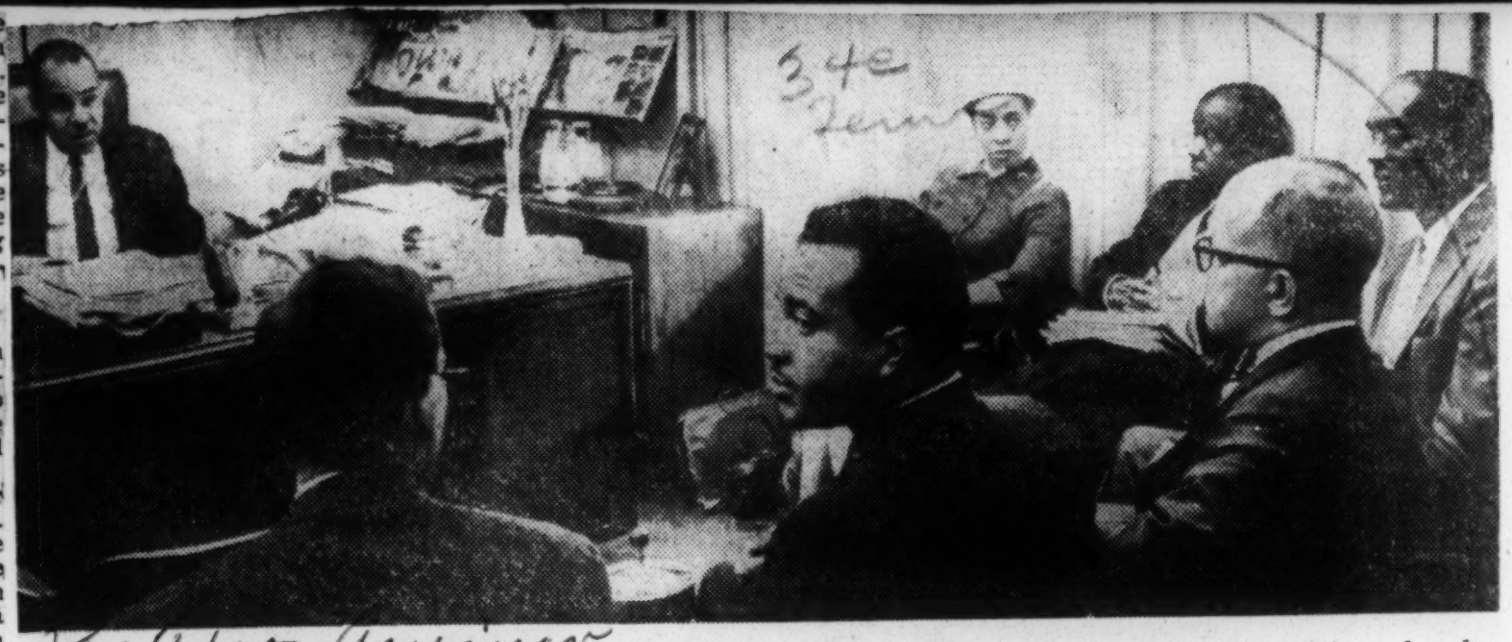
Negroes have been leaving the two counties ever the war, moving out of a withering sharecropper economy to the cities. Cotton acreage has been cut nearly in half.

Outside Help Sought

Outside help was sought from the National Association for the Advancement of Colored People and from other groups throughout the country.

From many sources gifts of food, clothing and cash have poured into the two counties since last July.

The Negroes have organized their own stores and transportation system to truck in nearly everything they consume from supply sources outside the



RELIEF FOR TENNESSEE COUNTIES — Twelve national organizations are now working jointly to relieve oppressed families in Haywood and Fayette counties, Tenn. NAACP Executive Secretary Roy Wilkins issued call for unity at first coordinating session, held at NAACP National Office in NYC. Clockwise from left are, Mr. Wilkins; Marvin Rich, CORE; Allan Yancy, Fayette County civic and welfare league vice president; John M. Brooks, NAACP voter registration director; Jesse Turner, president, Memphis NAACP; Gloster B. Current, NAACP director of branches and Jean Fairfax, American Friends Service Committee.

Estes Denies High Fees in Fayette Co.

MEMPHIS—Atty. J. F. Estes of Memphis denied vehemently to The Courier this week charges made by John McFerren of Fayette County Civic and Welfare League, in Tennessee, that Mr. Estes was guilty of overcharging for legal services in any degree or manner.

Said Mr. Estes . . . "The Fayette Civic and Welfare League is very close to my heart. I obtained its charter; I did so because I wanted to create an instrument for the citizens of that county through which they could take political and economic action.

"I have always done all that I could to see that this league served the interests of the people of the county, and at no time have I regarded it as a means of making money for myself.

"I regret and I resent very much, statements which have been attributed to Mr. McFarren and to James Foreman of Chicago which reflect not merely on my integrity as an individual, but upon my standing as a member of the bar.

• "I have received the complete and unanimous endorsement of all my actions by the complete board of the Fayette County Civic and Welfare League. This, of course, is a matter of pride to me.

However, I cannot allow to go unchallenged the statements which have been attributed to Mr. McFerren and Mr. Foreman.

"They do not represent the facts, and I take advantage of this opportunity to tell the public in The Courier that the facts are not true as they have stated them."

Registration Interference Is Charged

BROWNSVILLE, Tenn. — (UPI) — A Negro field secretary of the NAACP was arrested outside a registrar's office Thursday on charges of "interfering" with the registration of voters and "causing confusion."

Deputy Sheriff George Sullivan said the man, identified as Philip H. Savage, tried to break into a registration line composed largely of Negroes. When arrested, Sullivan said, Savage was walking down a line of Negroes asking questions and "jotting answers down in a notebook.

Several hours earlier, according to Sheriff S. T. Hunter, the Negro tried to register at the registrars office at the county courthouse.

"He knew all the time he couldn't register," said Hunter, and claimed Savage upset registration procedure with "unruly" behavior and questions.

The sheriff said Savage gave his home as Boston and then New York City. But the local NAACP said he was from Baltimore, Md.

Asks U. S. feed Tenn. starve-outs

The Afro-Am. Baltimore, Md. Sat. 2-4-61 p. 20

WASHINGTON

Rep. Charles S. Joelson (D-N.J.) urged the Federal government this week to distribute surplus food to starve-outs in Fayette and Haywood counties, Tenn.

A letter to Secretary of Agriculture Orville L. Freeman was released Thursday by Rep. Joelson, who called upon the Department to act in behalf of victims suffering economic reprisals for voting in the November elections.

"It is disgraceful that the Federal government cannot help feed the hungry families of people whose only 'offense' is that they exercised their cherished right to vote," he said.

"The Department of Justice, by commencing an action to stay the eviction of these people from the farms which they have worked for years, has indicated that such eviction was the direct result of their voting.

"Our government has the moral obligation to see that these persons are not abandoned in their time of great need."

He told Agriculture Secretary Freeman that if legislation is necessary to help these families, "I would introduce an appropriate bill."

Rep. Joelson stated that "county officials have refused to sponsor distribution of surplus foods to them."

At President Kennedy's news conference Thursday, the question rose about the eviction of these families, some of whom are now living in tents known as "Freedom Village."

The President said, "I am extremely interested in making sure that every American is given the right to cast his vote without prejudice to his rights as a citizen.

"And, therefore, I can state that this Administration will pursue the problem of providing that protection with all vigor."

He announced that the United States will airlift food to the troubled Congo to relieve famine conditions there.



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The Afro-Am. Baltimore, Md.

Sat. 2-4-61

p. 20

"RATIONS FOR RIGHTS," and clothes too, are being carefully packed and crated for delivery to the beleaguered voters of "Tent Village." Here members of the D.C. area Non - Violent Action Group (NAG) are shown inspecting and packing some of the clothing stored in the basement of Mt. Olivet Lutheran Church, Washington, D. C. The contributions are being collected from other churches in the area and transported to a central storage point until the mass meeting scheduled Feb. 15 at which time all participating groups will announce their collection in the city - wide drive. From left to right are Reginald Bythewood, a Howard University pre - law student; George Hackley, Maryland University sociology major; and Miss Gwendolyn Green, Howard pre - law student and secretary of NAG.

Church Buys Land, Sets Aid Program For Fayette

Chicago Defender 2-(11-17)-61

Chicago Ill. P. 1

An extensive program of aid to Negro farmers and particularly the Fayette County, Tenn. dispossessed sharecroppers by the National Baptist Convention is underway according to Convention president, Dr. J. H. Jackson, pastor of Olivet Baptist church here.

As a part of its new farm aid venture, the Convention has opened a $1,000 bank account in a Memphis bank, and is seeking an immediate fund of $30,000 for aid and relief to farmers; and a long range pool of $100,000.

Dr. Jackson told the Defender that the Convention has already invested $800 to lift the mortgage on farm equipment belonging to Rev. June Dowey in Fayette county; and has assumed the notes for the Thad Turner farm, 80 acres, $11,500; and the 116 acre farm of the Roosevelt Walkers at $12,500.

LOWERED PAYMENTS

The convention reduced the payments for both farms from $1,000 annually to $500 and the rate of interest from six to three per cent.

Dr. Jackson said the Convention is also considering purchasing a 404 acre farm in Fayette county at a price of $160 per acre of $64,640. A Negro minister in the area has also offered the Convention free use of his 170 acres to build small block houses — "shotgun houses," Rev. Jackson termed them, and the Convention is considering the proposal.

Dr. Jackson said Dr. A. E. Campbell would serve as local chairman in Memphis of a group which would "check on the needs of people in the surrounding areas. If they need shoes or clothes, the group would buy new and fresh ones. They would also be responsible for creating a market for the cash crops of the farmers concerned."

He said "perhaps the group's own members would buy fresh eggs and vegetables from the farmers, and gradually build up a market. Certainly the Negroes in Memphis could consume all the produce of Negro farmers in that area."

"We are relating our church program to the practical struggles of the people," the church leader said adding, "I don't know of any other church that has done this."

He said the Convention was also considering investing in a housing development of low rise single family dwellings for people over 65, which would have government financing.

The Baptist group has also commissioned three man to go to Africa in March to purchase 5,000 acres of land, if possible, in Liberia on which export commodities could be grown and developed.

Dr. Jackson said that his church was the first to buy land in Fayette County to relieve the dispossessed there. He said the church was seeking to encourage self-help among Negroes and to make life in rural areas "so attractive that people there will remain on the land instead of coming to the cities and starving on relief."

He indicated his approval of the Fayette County Emergency Relief committee and other emergency groups by exhibiting a photograph of himself with officers of the committee. But he added that the Convention's approach was long range.

MATERIAL FOR REDS

"Due to the injustices these people in Fayette County have encountered there," he declared, if they moved to Chicago they could be raw material for communist propaganda. I would not be surprised if there wasn't a pipe line from Fayette County to Moscow. Now if the church can work with these farmers, it will be a protection for our country and our people."

There will be a mass meeting in Atlanta, Feb. 7, to introduce the convention's farm-aid program there.

The Convention's goal of $100,000 will be used to purchase at least 600 acres of land, and those farmers who obtain loans from the church at low interest, will repay. The payments will go back into a pool which would rotate endlessly. The convention is seeking contributions now, and all monies collected will go into the Memphis bank account for use either for Fayette relief or general farm-aid.

Leaders Hurl Money Charges

Chicago Defender P. 1

Chicago Ill.

BY BURLEIGH HINES JR.

MEMPHIS, Tenn. — A deep rift has developed between Fayette County Civic and Welfare Association members which threatens to break the back of the Chicago Baptist Association. This association is county.

2-(11-17)-61

John McFerren, young leader in the Negro registration drive and chairman of the league's board of directors, is feuding with Scott Franklin, president.

Backing McFerren in the fight that came to head last week are Shepherd Towles, a farmer on whose land "Tent City" rests; Rev. June Dowdy, vice-president; John Lewis, 85-year-old board member and one of the county's first rights fighters, and several others on the board.

FRANKLIN JOINS ESTES

Franklin has in his corner, Atty. James F. Estes of Memphis, the man who stirred the first pangs of voting hunger in the simple farmers of Fayette and Haywood counties. It was Attorney Estes who set up civic leagues in both of those counties.

The cause of the break is simple. Each man thinks the other is running the league the wrong way. Franklin says McFerren is trying to gain complete control of the organization, including the funds sent to help farmers evicted from their tenant farm homes.

McFerren says that Franklin's presidential seat has been "silenced," meaning that Franklin no longer speaks as president of the Fayette league.

VIE FOR POWER

During three press conferences held in Memphis over a period of four days, charges and counter-charges were hurled by both factions, resulting in a tie up of league bank funds and a huge question mark hovering over who is going to distribute food and clothing to the needy.

Franklin said that from now on he has taken over the distribution of supplies to "Tent City" because McFerren has made illegal disbursements. McFerren said he has made disbursements, but that they were legal. He said he would not try to get supplies away from Franklin.

"Just so long as the people get the supplies," McFerren said, "I'll be happy.

FEE IN QUESTION

As for Atty. Estes, McFerren and several members of the board said the lawyer has been fired because of an argument over fees. McFerren said Estes overcharged the league for services rendered.

He said they gave the lawyer a check on Nov. 26, to obtain a credit loan association charter for the farmers, but "we never received the charter."

Estes said he is still the league's lawyer and that his term does not expire until December, 1961. "We've just about got all of requirements completed for the charter," he said.

2ND LAWYER

Meanwhile, McFerren said he went to Nashville Jan. 31, and hired another Negro lawyer, Bartley J. Campbelle. He said that since funds had been tied up at the Tri-State Bank of Memphis because of league troubles, another account was opened at the Citizens Saving Bank of Nashville. It, too, is a Negro institution.

As matters stand now in the league, the only way to clear up the situation is through an election to appoint new officers and board members. Both factions have agreed this is proper. McFerren said the election would be held "within 35 days."

Franklin also charged that McFerren had allowed the Emergency Relief Committee for Fayette County, operating out of Chicago, to move in and control shipments of food to the Negro tenant farmers.

In Chicago, Sterling Stuckey a local school teacher, speaking for the Committee, denied the charge.



"TENT CITY" BOUNTY — Willie Montgomery is up to his elbows in work as he stacks food and clothing donated by Baltimore churches for Tennessee victims of the "Big Squeeze." The drive was climaxed on Sunday when churchgoers brought their donations to services. Cash contributions are over $4,000.

'Tent City' Aid Project Termed Big Success

The Afro American

BALTIMORE

"It surpassed our wildest dreams!"

That's how the Ministers Alliance proclaimed the success of its "Operation Tent City" Project, this week.

Although reports were not complete, at AFRO press-time more than three van truck loads of food, clothing, shoes and medical supplies had been collected.

Cash contributions had reached $4,149.99 and Alliance president, the Rev. Marion C. Bascom, said: "There are many more churches to be heard from."

* * *

"OPERATION TENT CITY," conducted by local ministers, representing all churches, faiths and denominations, was sponsored to aid colored families in Haywood and Fayette Counties, Tenn.

These families, involving 27,000 people, men, women, and children have been victimized because they registered to vote.

Many residents, half-clothed and hungry, were forced out of their homes. They sought shelter in tents.

The Alliance received first hand information that infants and adults were subjected to untold misery and suffering when they were unable to buy medicine while ill.

To get medicines and even "a loaf of bread," they had to go as far as 50 miles, Alliance members reported.

Fifty - three churches in all parts of the city were set up as collection centers. Donations and collections from others were left at these centers.

* * *

TUESDAY TRUCKS and autos, picked up donations from these centers and brought them to Douglas Memoral Community Church, Lafayette and Madison Aves.

Before the collections were half finished, the first floor of Douglass took on the appearance of a super market warehouse.

Canned goods of every description, 100 - pound bags of sugar, clothing for both children and adults formed a miniature mountain in the sprawling room.

Thursday, the Rev. Mr. Bascom told the AFRO that the project has moved into another phase, and the need for help and cooperation is still critical.

Before the merchandise can be shipped, it must be packed. To complete this operation as rapidly as possible, Douglas will remain open today (Friday) and Saturday.

All interested persons are urged to go to the church and help complete this leg of the "mercy mission."

* * *

WHEN PACKING is completed, undetermined as yet, the donations will be shipped to Tennessee "by the safest and cheapest" method available.

"Complete reports will be made available," the Rev. Mr. Bascom said.

"Newspapers, radios, min-needs of their fellowmen," they concluded.

...thing, they isters, and most of all, the ...that no in-people were responsible," ...or organiza-they declared.

...redit for the "It was a heartwarming experience to see so many respond so generously to the

When the merchandise reaches Tennessee, a Coordinating Committee, made up of Urban League, NAACP and CORE officials, will supervise distribution, the Alliance said.

Marveling at the manner in which the community supported the project, Alliance officials, will call it the "greatest thing that has happened in Baltimore.

The fortunate thing, said, is the fact that individual, group, or organization can claim credit for the successful venture.

Bishops Wire Ike; Urge Action in Tenn.

BALTIMORE, Md.—Four Methodist Bishops representing three denominations recently appealed to President Eisenhower in behalf of the dispossessed Negro sharecroppers of Fayette and Haywood Counties, Tenn.

The four were Bishops Edgar A. Love, head of the Baltimore area of the Methodist Church; John Wesley Lord, Washington area; George W. Baber, First Episcopal District AME Church, and C. Ewbank Tucker, Seventh District AMEZ Church.

The following telegram was sent to the President:

"It has come to our attention that many Negro people in Fayette and Haywood Counties, Tenn., who registered to vote in the recent election, have been evicted or are in the process of being evicted from their homes.

"Orders have been issued for the eviction of 300 families in Haywood County, and 400 families in Fayette County. At least 40 people are already evicted in Fayette County and are living in tents without floors in sub-freezing weather. These families cannot buy food or fuel in the county in which they live, but must drive 50 miles to Memphis."

This message was sent to the Federal Court in an effort to halt further evictions: "We understand that a Federal District Court turned down an application of the Department of Justice for a restraining order preventing these evictions.

"Certainly, Mr. President, this in our judgment should be investigated by the Federal Government, and some relief given to these people. Perhaps the Army should go in with medical and food supplies, and with tents for temporary housing.

"It makes our hearts bleed in this Christian season that such conditions exist in our America."

The Bishops have made their appeal. Now we can only wait and see what the President will do.

Tent City to get health center

MONTEAGLE, Tenn. — A group of beauticians from Tennessee and Arkansas, meeting at Highlander Folk School last weekend, voted to organize a Volunteer Health Center in Fayette County to aid evicted sharecroppers in "Freedom Village."

Mrs. Eva Bowman of Nashville has been named chairman of the board for the volunteer group. She's a former state inspector and examiner of the Tennessee Cosmotology Board.

Serving with Mrs. Bowman on the volunteer board are: Mesdames Emma Benefield, Chattanooga; Johnnie Fowler, Winchester; Betty Carter, Fayetteville; Clara Cowan and Lola Dill, both of Huntsville, Ala.

Mrs. Bowman was the speaker at the session in which the group voted to organize the health center.

CORE aiding Freedom Village

NEW YORK — Emergency Relief Committees for Fayette and Haywood counties have been formed in Los Angeles, St. Louis, New York City, Chicago and in Lexington, Kentucky by CORE groups.

Chicago CORE has already sent more than 100,000 pounds of food and clothing by eight trucks and an airplane to the Tennessee farmers who have dared to register and vote. Other groups have sent truckloads of supplies to meet the critical need for children's clothing, blankets and food.

Six trucks arrive in Fayette County

(SPECIAL TO AFRO)

SOMERVILLE, Tenn. — "We're happy beyond words. It shows there are people who believe in justice and are willing to back this belief with deeds."

These were the words with which John McFerren, leader of the Fayette County ballot crusade, acknowledge six truckloads of food and clothing sent by New York City residents to approximately 700 ousted sharecroppers.

McFerren estimated the value of the shipment at $50,000.

* * *

"WE'RE HARD pressed and need all the help we can get," McFerren told the AFRO, Friday.

The food and clothing were transported from New York in a six-truck caravan and stored in McFerren's garage, filling the 20-foot square building.

The supplies are for the use of sharecroppers who were ousted by landowners after they voted in the Nov. 8 election.

* * *

FOLLOWING THE ouster, the Justice Department filed suit against a number of landowners, asking a court injunction barring the sharecroppers being put off the land for exercising their right to vote.

The court granted a temporary restraining order. A hearing is scheduled for Feb. 20.

The drive which resulted in donation of the $50,000 worth of supplies by New York City residents was spearheaded by radio station WMCA.

"Big Joe" Rosenfeld of station WABE sent a check for $1,000 to the League.

* * *

BOTH REP. ADAM Clayton Powell and the Rev. O. D. Dempsey, assistant pastor of Rep. Powell's church, Abyssinian Baptist promoted the effort.

In connection with the drive New York City's Mayor Robert F. Wagner Jr. changed the name of Times Square to "Operation Tennessee Square."

* * *

ASKED ABOUT the charge that some of the gift packages are being sold, McFerren said:—

"All they are trying to do is to cripple the movement."

The charges against McFerren and the Fayette County Welfare and Civic League were given nation-wide circulation last week by an Associated Press dispatch.

The Associated Press quoted a neighboring farmer, Mrs. Thelma Parker, as saying McFarren, a merchant, sold the bundles for $1 each at his store.

McFERREN TOLD the AFRO that he suspects that Mrs. Parker is being used by enemies of the League in an effort to cripple both the organization and the drive by the sharecroppers to register as voters.

McFerren said Mrs. Parker is not a member of the League and he believes she is unsympathetic to the registration effort.

EXPLAINING distribution of the gift packages, McFerren said the county is divided into 15 districts, with League representatives in each unit.

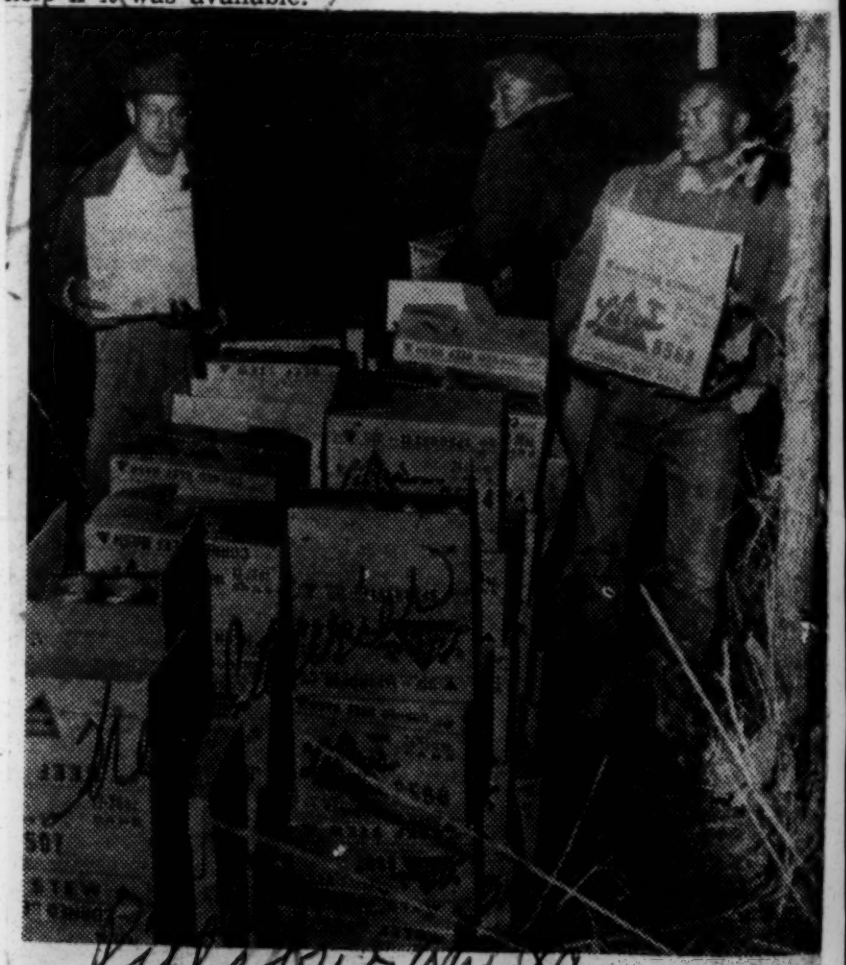
The representatives determine who is to get the gift packages, the League leader said. "If families need food and clothings, they get them. If not, they are refused," he declared.

* * *

McFERREN SAID that for two months last year, August and September, persons who could afford it were asked to donate $1 to pay for freight expenses of the gift packages.

"Many of the people had money they could not spend because white merchants refused to sell to them," McFerren stated.

He added that at no time were families in need refused help if it was available.



FOR "TENT CITY" DWELLERS—Three Negroes stack boxes of food for evicted farmers in Somerville, Tenn., in one of the tents after its arrival from Chicago. The supplies came from various organizations in the Chicago area, according to James Forman of the Emergency Relief Committee.

Truck Convoy From North Aids Negroes

SOMERVILLE, Tenn (AP) —A six-truck caravan rumbled up to a rural store near here Wednesday and unloaded tons of food and clothing for Negro sharecroppers who say they are in need because they voted in this racially tense county.

The shipment, the latest in a series from several Northern areas came from a New York City radio station (WMCA) which had broadcast periodic appeals for contributions.

The supplies were dropped off at the grocery store of John McFerren, leader of the year-old drive to register Negroes as voters in Fayette County. Some 250 Negroes, most of them sharecroppers, were on hand to welcome the convoy.

FILLING BUILDING

The goods were placed in McFerren's garage, filling the 20-by-20-foot building. He said they would not be distributed until Saturday.

The trucks later headed for adjoining Haywood County and the distribution of more supplies there.

The Justice Department has filed suits in federal court charging white landowners and merchants in both Fayette and Haywood County with mounting an economic boycott against Negroes who registered.

The suits claimed merchants refused to sell to them and that sharecroppers were ordered evicted from farms for exercising their right to vote.

CONTRIBUTIONS 'SOLD'

The whites denied the charge and said eviction notices sent to some 700 Negroes were due to farm mechanization and had no connection with civil rights. The evictions were stayed by court order pending a hearing.

The aid caravan arrived the day after accusations were made by one Negro landowner that some previous contributions were "sold" to the sharecroppers instead of being handed out free.

Mrs. Thelma Parker, 48, said she saw supplies of food and clothing sent here being "sold" at $1 a bundle at McFerren's grocery store last fall. McFerren declined comment.

NEGROES AWAIT EVICTION MOVES

Tennessee Tenants Looking for Places to Go—Tent City Likely to Grow

Special to The New York Times.

SOMERVILLE, Tenn., Dec. 31—Residents of Fayette and Haywood Counties awaited today the next development in the Federal Government's attempt at enforcing voting rights for Negroes here.

Three hundred families in Fayette (Somerville) County on the Mississippi border and possibly an equal number in adjoining Haywood County were looking for places to go as the Monday deadline approached for eviction from their farm tenant and sharecropper houses.

Their leaders saw little real hope for immediate relief in a United States Court of Appeals ruling Friday that restrained evictions in retalation for registering and voting but permitted them as a part of normal rearrangement of farming operations.

Landowners contended that the mass termination of tenant leases and sharecropper contracts were a result of mechanization. Negroes argued that the evictions were a direct result of their two-year-old campaign for free exercise of the franchise.

Faced with continuing court action, most landowners, on the advice of their lawyers, have adopted a policy of not discussing the situation with strangers.

Landowners Comment

Typical of their comments was that of Alex Gray, a Haywood County lawyer and farmer, who was asked whether he planned to go ahead with his evictions. He said:

"I have no comment until I read the verdict of the court, which I expect to abide by."

Asked how many Negroes he had on his farm, Mr. Gray replied:

"I have no further comment."

In an effort to care for the displaced Negroes, the Fayette County Civic and Welfare League, which conducted the registration campaign, has set up a tent city called Freedom Village, three miles south of Somerville on the 200-acre farm of Shepherd Towles, one of the few Negroes with substantial land holdings in this area.

The chairman of the league, John McFerren, who operates a store a mile up the road, said that about a dozen families with sixty children had moved into the tents on a muddy field across from Mr. Towles' ramshackle, two-story house. He said he had a long list of others wanting tents and that more would be put up as rapidly as they were available.

The olive-drab Army-surplus tents are about 20-by-30 feet in size. Most of them are crowded with beds, chairs and sofas, while battered refrigerators and other household goods stand in the mud outside. The tents are heated with wood-burning stoves at one end, but this provides only feeble relief during the cold, damp weather.

Mr. McFerren declined to say where he was getting the food and clothing he was supplying to the Village. He said only that contributions had come from Negroes and whites in New York, Chicago, Toledo and other cities.

Among the big contributors are the Southern Conference Education Fund and an Emergency Relief Committee established by the Chicago Chapter of the Committee of Racial Equality.

Privately, the landowners say the tent city is a "publicity stunt" and all the troubles, including the efforts of Negroes to vote, are inspired by "northern educators." They cite refusal of the Negroes to accept offers of employment in Arkansas and in other Tennessee counties, where their race is in minority and farm hands are badly needed.

"I don't know where this is going to end," said Dave Finney, a 68-year-old Negro who has spent all or his life as a tenant farmer except for Army service in World War I. "All we want to do is live here and work and vote. But they tell us we have got to get out."

Until Tennessee's Democratic primary last August, no Negro had been permitted to vote in Haywood County, where the population totals 23,393 and is 62 per cent Negro. A few Negroes had been allowed to vote in Fayette County, where the population is 24,577 and Negroes outnumber whites by more than 2 to 1.

Negroes are permitted to vote and are even encouraged to do so in most of Tennessee's ninety-three other counties, and especially in the metropolitan areas.

Four Shots Are Fired

SOMERVILLE, Tenn., Dec. 31 (AP)—Armed Negroes guarding a tent village of displaced Negro sharecroppers said four shots were fired at the village from a passing automobile early today but that nobody was hurt.

It was the second shooting incident at the village since Thursday. On that day Early Williams was shot and wounded slightly as he slept in a tent. The shot was believed fired from a passing automobile.

Relief Drive Mapped

WASHINGTON, Dec. 31 (UPI)—A local sit-in group announced today it had started a relief drive to aid Negroes evicted from farms in two Tennessee counties.

The District of Columbia Area Non-Violent Action Group said it had already collected 500 pounds of food and clothing that would be shipped to the tent cities housing the Negroes in Fayette and Haywood Counties.

Unify aid to 'Tent City'

NEW YORK —Several organizations met together last week in an effort to coordinate relief activities for Tennessee sharecroppers at Freedom Village ("Tent City"), victims of a "squeeze" by segregation.

Meeting were representatives of: the NAACP, the American Friends Service Committee, the National Sharecroppers Fund, CORE and the national Committee for Rural Schools.

The organizations agreed to work toward coordinating their relief activities and to look for a solution to the Tennessee crisis on other than a relief basis.

Also attending the meeting was Jesse H. Turner, president of the Memphis NAACP, and Allen Yancy, President of the newly-founded Somerville NAACP branch.

Somerville is the seat of Fayette County, which, along with Haywood, is the spot where colored farmers are being chased from their homes when they try to vote.

* * *

MEANWHILE various organizations continued their effort to send food, clothing and money to the embattled Tennessee rights fighters.

CORE (the Congress on Racial Equality), has formed relief committees in Los Angeles, St. Louis, New York, Chicago and Lexington, Ky. Richard Haley, CORE field secretary, is in Tennessee distributing the supplies.

AFL-CIO President George Meany said his organization is making a special effort to give emergency assistance. It has allocated $2,000 for food, clothing, etc. for the evicted farmers and their families.

Churchmen of the AME Zion Church, attending the 1961 meeting of the Board of Bishops and ministers and Lawmen's Conference in Knoxville, went on record to support the Fayette County farmers.

Almost $300 was raised in an initial appeal; the bishops said support of the farmers would be a denomination-wide project and urged more than $500,000 to aid the farmers.

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TENNESSEE

TWO UNIVERSITY OF MICHIGAN STUDENTS
ARRESTED IN HAYWOOD COUNTY
ARRIVED TO DISTRIBUTE AID TO NEGROES IN
CIVIL RIGHTS STRUGGLE

STUDENT ARREST CITED

The N.Y. Times

Michigan Youths Were Aiding Negroes in Tennessee

New York

BROWNSVILLE, Tenn., Feb. 5 (AP)—Two University of Michigan students said they were arrested, tried and ordered out of Haywood County yesterday after arriving here to distribute aid to Negroes involved in a civid rights struggle.

David Giltrow, 23 years old, a reporter-photographer for The Michigan Daily, campus newspaper, said he was convicted of resisting arrest, and Andrew Hawley, 21, was convicted of going through a stop sign.

Mr. Giltroy said the general sessions judge then suspended the convictions with the stipulation that all five Michigan students—two of them women—leave the county.

Permission was granted to distribute he en boxes of food and clothing the students packed here in their station-wagon, Mr. Giltroy said, with the stipulation that a deputy sheriff escort the party.

Haywood County officials were not immediately available for comment.

NEGRO TENANT FARMERS WIN U.S. INJUNCTION

Cincinnati, April 6 (AP)—The United States Court of Appeals, sixth circuit, today ordered District Judge Marion S. Boyd of Memphis to grant a preliminary injunction to prevent eviction of several hundred Negro sharecroppers from their rented land in Haywood county, Tennessee.

The department of justice's civil rights division had asked for the injunction on the grounds landowners were refusing to renew contracts with the sharecroppers because the Negroes registered to vote in the 1960 electon.

Sends Case Back

The appeals court previously had issued a temporary restraining order to prevent termination of the contracts.

In its order today, it sent the case back to the District court in Memphis with instructions for Judge Boyd to issue the injunction. Judge Boyd previously had refused to issue the order on the grounds he could not interfere with private contracts.

Under the contracts, the sharecroppers farm the land and receive a share of the crops for payment.

3 Landowners Exempt

The landowners had said contracts were not renewed because of a reduction in cotton crop acreage and mechanization of farms.

The order covers approximately 70 landowners but it specifically excluded Ber Whitelaw, Mary Golden, and Frances Moore Woodson on the ground there was not sufficient evidence against them.

A similar case also is pending in the Memphis court involving sharecroppers in Fayette county. Judge Boyd issued a preliminary injunction in that case late in December after the appeals court granted its temporary restraining order.

After the cases arose a tent city was set up in the area to house negroes who had left their farms.

Find Sufficient Evidence

In the decision, given by Judges Lester L. Cecil, Paul C. Weick, and Clifford O'Sullivan, the Appeals court said, "There was sufficient evidence of threat, intimidation, and coercion to require the trial judge to grant a restraining order against the landowner defendants."

It added:

"In our judgment, the government is entitled to a preliminary injunction enjoining and restraining the landowner defendants from engaging in any threat, intimidation or coercion or attempted threat, intimidation or coercion whether by eviction or threatened eviction or refusal to deal in good faith with them concerning their tenancy in keeping with the usage and custom heretofore prevailing in Maywood county, Tennessee, or any of their Negro sharecropper tenants for the purpose of interfering with the right of such Negro sharecroppers or other persons to become registered or to vote in Haywood county, Tennessee . . ."

Warns of Contempt

The court declared, however, it did not feel there was justification for a government claim that unless landowners were ordered to retain the tenants the question would become moot.

It said that any landowner who persists in a plan to evict tenants because they registered to vote would be exposing himself to punishment for contempt of court.

It added that it did not believe the district judge would withhold "adequate punishment" for any contempt of his injunction.

Tent City, U.S.A.: Handwriting On The Wall

By RUBYE L. PENERMON
(First of Two Articles)

I have just returned from Somerville, Tenn. The Christian Crusaders of Englewood, an interfaith and interracial religious movement, sponsored my trip along with the Rev. Essex E. Franklin, minister of Canaan Baptist church; Zishan and Harold Evans, publishers of Christian World magazine. We met and interviewed the Originial Civic and Welfare League of Fayette County; and the residents of the world-famed "Tent City". Here is my evaluation of what we heard and saw:

The "handwriting on the walls of Fayette County" began when Negro farm hands attempted to register in the 1959 Tennessee primaries and were refused. Printed slips were passed out to them instead stating that this was an "all-white primary" and that Negro voting was illegal!

If these Negroes in their simple way hadn't believed what they read in school — perhaps the "all-white primary" would have been accepted. But the fact is they knew that the Constitution and its subsequent amendments gave them, too, the right to register and vote.

Twelve militant Negro leaders, therefore, filed suit against the Democratic Committee of the County — charging they had been barred illegally from exercising their franchise. They won the suit and the war was on! It was urgent, to capsule Negro strength and organize the Original Civic and Welfare League of Fayette County.

REGISTER TO VOTE

The League's first job was to get more Negroes registered to vote. From off the farms and plantations; from close by; and from the remote districts of the County — Negroes flocked to the courthouse in Somerville to register!

Hundreds of them registered! The sight was like a waking nightmare to the white political leaders and they moved swiftly to meet the new threat. Registration was deliberately slowed so that far fewer Negroes got their names on the voting lists each day. But long lines waited patiently to register!

Winter slipped into Spring; Sping shifted swiftly into summer and the line moved slower than ever. But they waited! Women, and men, too, accustomed even as they were to the heat of the cotton and corn fields, collapsed on the blistering pavement.

Their friends revived and supported them as they kept the long vigil until their turn at the registration desk!

REIGN OF TERROR

By this time, the reign of terror had taken a firm grip on Fayette County. Landowners, merchants, leading citizens had taken many steps to head off the mass registration by the Negroes but none of them had proved effective. When these methods didn't work — new ones were quickly found!

Now when a Negro went to a store where he had traded for years, the merchant scanned the list under the counter — the "Black" list! If his name appeared on the list, the merchant refused to sell. White filling stations refused to sell gasoline to Negroes. Doctors and clinics in the County no longer would treat their Negro patients.

WITHHOLD LOAN

Crop production loans were withheld from many Negroes who had previously obtained them through the U.S. Department of Agriculture. This was an effort on the part of the whites to use the oldest and yet most effective weapon against an enemy — and certainly, the Negro — the "economic-squeeze."

Meanwhile — the League organized citizenship classes in which starved Negroes sat hour after hour — learning how to "mark" the ballot! (In Fayette County, Negroes attend school three to four months out of the year. They go at "boss'" command. They quit at his command! As a consequence, the masses are illiterate!)

The farm hands, however, exhibited amazing mentalities in their determined efforts to learn to read and mark the ballot by the time of the presidential election! The Negroes had been told if they stick together and vote together, they could win an election!

Whites contended however, they did not fear the Negro vote, despite the fact Fayette is one of two counties in Tennessee where Negroes outnumber whites almost 3 to 1.

GIANT BLACKBOARD

Election day neared! The giant sized blackboard at the courthouse was made ready for the big day! Its use for the past 40 years had been to record returns which almost, always revealed landslide elections for the White Citizens' Council.

November 8, 1960! When the tallies of the election were totalled, an astounding thing happened: 1200 Negroes cast ballots and swayed the returns by an overwhelming vote! For the first time in the history of Fayette County — the White Citizens' Council lost an election!

The 1960 returns have now been erased and the events of the day have filled another page of history! On the bare blackboard, however, one discerns invisible "hands" writing!

GIVE US BALLOT

Hundreds of black hands — tattered and torn from years of menial labor — writing an uncompromising message the angry white hands can't rub hard enough to erase: "Give us the ballot . . . Give it to us now!"

Immediately after the election, hundreds of Negroes were served with verbal eviction notices: "you were warned . . . get off my land . . . get the hell off by Saturday." Negro League leaders faced a crisis! The weather was very cold and housing had to be provided for the evicted as soon as possible.

"Tent City" was born! The "city," a demonstrative symbol of Fayette County's passive-resistance, stands on the land of Shephard Towles! The residents, who live in the military surplus tents do not complain of their dark, cramped quarters.



JOHN McFERREN, chairman, Original Fayette County Civic and Welfare League, welcomes Rubye L. Penermon of the Englewood Crusaders to 'Tent City." McFerren and his wife, Viola, maintain detailed records for public inspection, which list every dollar and every item received by the League; how and to whom it is distributed.

Most of them are too young to understand why they have left their tenant farms and cotton fields for the strange canvas homes. They do not understand that they are being pointed out as examples of Americans deprived of their civil rights; as Americans who have been turned out of their homes of long standing by white landowners because they — the Negroes — registered to vote in local and national elections.

Black Belt 'Resurrected'

The Pittsburgh Courier

100,000 Negro Votes Goal of Va.'s NAACP

Pittsburgh, Pa 34e Va
Sat. 4-22-61
p 1

PETERSBURG, Va.—Concerned and determined delegates from each of the counties and cities making up the Fourth Congressional District, the heart of the black belt of Virginia have returned to their communities after a day-long voter registration workshop, exclaiming: "Our political future is held within our hands."

The Saturday workshop, which convened at the Mount Olivet Baptist Church in Petersburg, Va., brought together civic workers who have been busily engaged in conducting community voter registration educational programs in each city and each country of the Fourth Congressional District since mid-winter.

This intensive voter registration program is under NAACP auspices.

■

THE TENOR of the Petersburg meeting was set by John M. Brooks, national NAACP voter registration director.

Mr. Brooks declared: "Let history record Saturday, April 1, 1961 as the date of the resurrection of Negro political power in Virginia's black belt. We here and now serve notice on Virginia and our nation that we will increase our voting strength and that we will learn to be practical civic-minded politicians."

Mr. Brooks continued: "We expect to get the best value for our hard-earned privilege to vote."

■

THE NAACP voter registration head reminded his audience that three of the top announced candidates subject to the July Democratic primary, namely: Albertus Harrison, current Attorney General; A. E. S. Stephens, Lieutenant Governor, and State Senator Mills E. Goodwin, all hail from the Fourth Congressional District.

Brooks issued a warning to the delegates, declaring: "I must warn you to be aware of candidates who say, "I will do my best to make Virginia a good place to live for all citizens' or I will appoint and employ the best qualified persons possible in my administration'."

"We must ask the candidate direct questions about issues, appointments and employment and accept only direct answers. If a a candidate says to you, 'Well, I don't want to commit myself on public education because it is too controversial,' answer him by saying: 'There are over 100,000 Negro voters in Virginia and they will take the attitude that you don't care about the closing of public schools in Prince Edward County'."

Discussion leaders included Mrs. Julia E. Tucker, Mrs. Julia Thornton, Mrs. Carlene B. Wooden, Moses Riddick, T. O. Thweatt, Atty. S. W. Tucker, Atty. Robert H. Cooley Jr., Robert D. Robertson, Rev. Milton Reid and W. Lester Banks, executive secretary of the state NAACP.

—More for Your Money in The Courier—

15,000 Registered To Vote

By JUNE PURCELL GUILD

It is more than 35 years since Arthur Guild and I became Richmonders. It would be untrue to say we ever regretted the decision. But beyond measure we were shocked to learn that here "de wah," so often mentioned, was the Civil War, that Yankees were nearly always Damyankees, and that almost one-third of Richmond's citizens, estimated hen to be less than 200,000 was nearly always treated rudely and regarded as hardly better than animals.

We learned that the picture of a Negro citizen would never be printed in a local newspaper. To call a Negro Mr. or Mrs. was unheard of. We did not accept these local customs; in time others became a bit more reasonable about them.

Survey Made

I directed the comprchensive Negro welfare survey completed in October, 1929. There have been many improvements in the lives of Richmond Negroes since then. Limitations of space will not permit a complete resume of old and new Richmond. The printed report of the survey contained 136 printed pages. A professionally employed person is able to get more accurate data than an interested individual. Some figures are no longer kept by race; not all requests for information are answered.

Formerly, few Richmond Negroes voted; registrars of voting were sometimes so insolent that few Negroes attempted to register. Registrars are no longer rude. In the days of the survey, 4404 Negroes paid poll taxes. Today almost 15,000 Negroes are registered of a population of 91,972. The recent census makes the white population 127,986 compared to a little less than 140,000 previously.

When the survey was made the housing of Negroes was unbelievably bad; rents unreasonably high; sanitary conditions awful; overcrowding the rule. Much of the housing of Richmond Negroes is still substandard, although sanitary conditions have been improved. Some slum areas have disappeared. I have been unable to learn the number of public housing units available for Negroes and whites. All of this housing is segregated, of course. The Supreme Court decision which knocked out restrictive convenants has made it possible for many Negroes to move into old but good white neighborhoods. About ten ten years before the survey the court had held municipal zoning ordinances illegal.

Bad Conditions

As extreme congestion, lack of sanitary facilities, and limited medical care have a direct bearing upon high disease and death rates, the Negro death rate was 20.43 per 1000 of the population, the white rate 11.54. The Negro tuberculosis death rate was 147.2, the white rate 49.2. The present tuberculosis death rates per 100,000 are Negro 16.9, white 4.1. Th Negro life expectancy rate still trails the white rate, but both rates have greatly improved. It seems clear that life may be bought with improved medical and socio-economic conditions.

In the olds days Negro doctors were not permitted to follow their patients into any Richmond hospital. Now there is a small private Negro hospital; also Negro practice on the staff of large, modern, private hospital. As yet no Negro doctor is on the staff of the state supported hospital nor on the Veterans' Administration Hospital. In 1929, the Negro division of the tax - supported hospital seemed unfit for the care of patients in some ways; it is worse now.

Illegal Births

The old illegitimate (1927) rate was Negro rates are Negro, 309; 74.4. There are many reasons for the disparities the improvements. Probably contraceptive devices are more available now than years ago, especially to whites. It may be easier for a white girl to travel far away for a confinement than for a poor Negro girl. The actual Negro rate for illegitimacy may be higher than the white rate. It does not seem to me to be reasonable that the descendants of people who were encouraged, if not required, to bear mixed-race illegitimate children, until less than one hundred years ago, should altogether disregard their earlier training. Negroes are making great progress here as the figures show in spite of social, economic, education al and civic disadvantages.

Then as now there were more Negro adults than whites before the courts on criminal charges. But misconduct does not just happen. It is caused. There are many causes. Among these are ignorant and poorly trained parents, absent from the home; insufficient nursery care; little supervised leisure time programs or character building agencies; and many other unfavorable environmental conditions which prevail more commonly in Negro homes and neighborhoods than in white homes and neighborhoods. Then, too, are Negroes carried into court oftener than whites under the same circumstances?

Three Nurseries

Before there was not a single standard nursery in Richmond for the care of children whose mothers worked. I remember a Negro woman who kept children by the day who longed for more shelves on which to place more babies. Now there are three licensed nurseries for Negro children with facilities for 145 children. On the other hand there are ten licensed nurseries for 340 white children

Once Negroes inherited old white school buildings, some without indoor toilets. Negroes still tend to fall heir to old white schools but there are also several fine modern Negro schools. There are two, yes, two Negro children attending a formerly all white school. In the fall this school is to become a will be transported to a white school. After almost seven years Richmond's school integration record is shockingly poor.



MRS. JUNE P. GUILD
Cites Richmond Progress